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QUARANTINE OF CATTLE.

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Thursday, February 25, 1915.

The committee at 10 a. m. to-day met, Hon. Asbury F. Lever (chairman) presiding.

The CHAIRMAN. Gentlemen of the committee, Mr. Cooper, of Wisconsin, who introduced the bill H. R. 21443, requested this hearing. Mr. Cooper is present and will present his case and his witnesses in such way as he desires.

[H. R. 21443, Sixty-third Congress, third session.]

A BILL To reimburse owners of cattle exhibited at the National Dairy Show at Chicago, Illinois, in November, nineteen hundred and fourteen, and since then detained in said city because of the quarantine established by the United States Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $500,000, or so much thereof as may be necessary, to reimburse the owners of cattle exhibited at the National Dairy Show at Chicago in November, nineteen hundred and fourteen, for expenses incurred by them as the result of said cattle being then quarantined and since detained at said city by reason of orders issued by the Government of the United States to prevent the spread of an epidemic of foot-and-mouth disease, which said sum is hereby made immediately available.

SEC. 2. That the amounts to be pain to the respective owners of said cattle shall be determined and paid under rules and regulations to be prescribed by the Secretary of the United States Department of Agriculture.

STATEMENT OF HON. HENRY A. COOPER, A MEMBER OF CONGRESS FROM THE STATE OF WISCONSIN.

Mr. COOPER. Mr. Chairman and gentlemen of the committee: On the 22d of February I received this telegram:

UNION STOCK YARDS, *Chicago, Ill.*

At meeting held this morning of 40 owners of dairy cattle now in quarantine at Chicago a committee to confer with House committee on your bill H. R. 21443 was appointed, and I am directed to request you to arrange for conference that our committee may be heard. Thursday this week suggested. If convenient kindly advise me, Chicago, by wire, care National Dairy Show, 817 Exchange Avenue, the date arranged. Reference your letter 16th, Baird Waukesha.

W. W. MARSH.

I did not receive that telegram until 11 o'clock at night. The next morning I found the chairman of this committee, Mr. Lever, and arranged for an interview in accordance with the request wired me by Mr. Marsh, with whom I am not personally acquainted. After making the arrangements with Chairman Lever, I wired Mr. Marsh that the meeting had been arranged, giving the hour and day and requesting that he wire me whether he would come, etc., since which time I have not heard a word, directly or indirectly,

from Mr. Marsh. After I had sent the telegram to Mr. Marsh, Representative Vollmer called on me in the House and stated that a gentleman from Iowa had wired him that he was anxious to be at the hearing on the bill, and Mr. Vollmer wanted to know if he could be heard and I said, "Yes; wire him."

The CHAIRMAN. I understand that that gentleman is present.

Mr. HUDSON. I am chairman of the executive committee of the Jersey Cattle Club. We only received our dispatches yesterday morning and we had to wire to the other people. It has been very close work for us to make the appointment here. If we had had two or three days we could undoubtedly have secured a large delegation here.

Mr. COOPER. Mr. Marsh wired me to have the hearing this morning at 10 o'clock.

Mr. HUDSON. I suppose they started at once immediately upon the receipt of the telegram.

Mr. COOPER. Representative Butler, of Pennsylvania, came to me and said that he had some people in his State who were very anxious to be heard by the committee on this bill.

The CHAIRMAN. I understand that a gentleman from Pennsylvania is present.

Mr. WINSLOW. I am the secretary of the breeders' association.

The CHAIRMAN. You may proceed, Mr. Hudson.

STATEMENT OF MR. C. I. HUDSON, OF EAST NORWICH, N. Y.

Mr. HUDSON. I would suggest that the chairman read the communication which he has in reference to this matter.

The CHAIRMAN. I have the following communications:

NEW YORK, N. Y., *February 23, 1915.*

Mr. C. I. HUDSON,
Galen Hall, Atlantic City, N. J.:

Skinner, Chicago, telegraphs conference arranged for next Thursday morning 10 o'clock, Agricultural Committee, Washington, to take up Cooper bill to reimburse owners of dairy cattle in quarantine. Exceedingly important your committee be there.

R. M. GOW,
Secretary American Jersey Cattle Club.

[American Jersey Cattle Co., 324 West Twenty-third Street, New York, N. Y.]

WASHINGTON, D. C., *February 25, 1915.*

To the COMMITTEE ON AGRICULTURE AND FORESTRY:

We urge an investigation of the origin and cause of the quarantine and present condition arising from the foot and mouth disease from a joint committee of Senate and Congress and that an appropriation be made by the Government to reimburse the innocent exhibitors whose prize herds have been held in quarantine in Chicago since the National Dairy Show up to October 31, 1914, by the Bureau of Animal Industry Veterinarians, United States of America, and the State of Illinois veterinarians. The undersigned are a committee appointed by the American Jersey Cattle Club, representing 17,000 breeders.

C. I. HUDSON, *East Norwich, N. Y.*
M. D. MUNN, *St. Paul, Minn.*
S. T. HENNING, *Shelbyville, Ky.*
Hon. J. J. RICHARDSON, *Davenport, Iowa.*

NILES, MICH., *Dec. 7, 1914.*

The AMERICAN GUERNSEY CATTLE CLUB,
Peterboro, N. H.

DEAR SIRS: On separate sheets inclosed with this we send you a list of our registered Guernseys killed November 2, 1914, because of "foot-and-mouth" disease.

In addition to this list of 24, we lost one heifer recently purchased, the papers not having reached us yet, and one heifer not registered.

Also 25 grades, the result of 30 years of constant selection and the use of Guernsey sires since 1898.

This disease started with one pig on the farm of Mr. W. E. Hoadley, about a mile from our farm, during the first week in August.

The first case being very light and recovering quickly, little attention was paid it till the cows were taken and Dr. W. T. Graham, V. S., was called on August 23.

Finding the same disease on another farm 1 mile distant, Dr. Graham notified the State veterinarian, Dr. Dumphy, and he came to Niles September 3, and immediately called a Federal inspector from Detroit. On September 4 the two took matter from the sick animals and sent to Washington, saying that it would require 10 days to decide on the nature of the disease.

Herds Nos. 3 and 4 were exposed to No. 2, and came down soon after the doctors left, with herd No. 5 a few days later. Nothing was done to check the disease, and on September 16 our first cow was taken, and the rest of the herd within about 10 days.

All our cases were mild and recovered in a short time, most of the cows giving nearly a normal flow of milk when killed November 2.

Teams working on the highway and camped in the yards on infected farms Nos. 2, 3, and 5 went home on Sundays to towns west of Niles and no doubt carried the disease. In this territory skim milk was returned to farmers from the creamery and infected the stock.

Then seven cars with stock in each from infected farms were shipped from Buchanan, Mich., to Chicago, and you know the rest.

Yours, truly,

BALLARD BROS.

This statement says that the outbreak was prior to the National Dairy Show.

Mr. HUDSON. Yes, sir; the first week in August, at Niles, Mich.

Mr. COOPER. Some three months before the show, and these people took their prize herds down there although the disease had already broken out not a great ways from Chicago.

Mr. MOSS. Mr. Chairman, I do not see any representative of the Deparment of Agriculture present. Were they notified?

The CHAIRMAN. Yes, sir. I think a representative has just come in. Do you represent the Bureau of Animal Industry?

Mr. RAMSEY. Yes, sir.

The CHAIRMAN. You may proceed in your own way, Mr. Hudson.

Mr. HUDSON. I have been a breeder for 30 years and I have taken a great interest in reference to the foot-and-mouth disease in this country. I am chairman of the executive committee of the American Jersey Cattle Club. None of the exhibitors was notified previous to the starting of the National Dairy Show, which was on October 22, in Chicago——

Mr. HAWLEY. What year?

Mr. HUDSON. 1914. There was no doubt that the disease was known at the Union Stock Yards as early as the 17th day of September.

Mr. ANDERSON. Known by whom?

Mr. HUDSON. By the people in the Union Stock Yards.

Mr. MOSS. What date?

Mr. HUDSON. The 17th day of September, 1914.

Mr. MOSS. Known to whom?

Mr. HUDSON. Known to the authorities of the Union Stock Yards at Chicago. The exhibitors, not knowing that, were allowed to congregate at the National Dairy Show. The first intimation we had of it—it was not an intimation—was the use of disinfectants in the barn and around the cattle sheds. We inquired and they said that it was a precaution which they were taking in case there should be any disease.

On the afternoon of October 29 they called a meeting of the exhibitors, of which I was president—there were about 50 to 75 exhibitors—and we saw Dr. Dyson, the Illinois State veterinarian, and I asked him whether there had been any case of the disease in the National Dairy Show, and he said: "Not that I know of now." Within five minutes Dr. Bennett, of the United States Agricultural Bureau, came into the room and before he could get to Dr. Dyson, I said: "Dr. Bennett, will you state if there is any case of the foot-and-mouth disease in the Union Stock Yards?" and he made this statement: "There have been three steers passed through the yard that had the disease." That was the first intimation we had of any disease, which was on the 29th or 30th of October. Dr. Bennett had not had a chance to get to Dr. Dyson and confer, and the two statements were diametrically opposite. This letter from Ballard Bros., of Niles, Mich., which is now a part of your proceedings, states when it broke out, and that the people were told they had better ship cattle out of the county at once, and they did ship to the Union Stock Yards and other stock yards, and so scattered the disease from yard to yard throughout the country.

Mr. ANDERSON. Told by whom?

Mr. HUDSON. The veterinarian, as stated in that letter.

The CHAIRMAN. Let us see if we get this right. This disease broke out the first week in November?

Mr. HUDSON. No, sir; the first week in August.

The CHAIRMAN. When was your dairy show held?

Mr. HUDSON. From the 21st of October to the 31st of October.

The CHAIRMAN. It was practically three months from the breaking out of the disease until you held your stock show?

Mr. HUDSON. Yes, sir; two and one-half months.

The CHAIRMAN. In the meantime, had there been any publication in the newspapers of the fact that the foot-and-mouth disease had broken out in this country?

Mr. HUDSON. I never knew of it until the morning of October 29 or 30.

The CHAIRMAN. As a matter of fact, do you know whether any newspaper carried the statement that the foot-and-mouth disease had broken out at Niles, Mich.?

Mr. HUDSON. Not any newspaper that I saw.

Mr. MOSS. When, according to your opinion, did the Government first come in the possession of knowledge that the foot-and-mouth disease existed in the United States?

Mr. HUDSON. This letter states that a United States representative was called there from Detroit early in September. He diagnosed it as stomatitis. Then they sent for another United States veterinarian, I think, about the middle of September, and he said unquestionably that it was the foot-and-mouth disease.

Mr. Moss. I understand you to make the statement to the committee that the Bureau of Animal Industry or some of its representatives had knowledge of the existence of the foot-and-mouth disease in the United States in September and had actually diagnosed the case, and yet you were not notified of it when you took your stock to Chicago?

Mr. HUDSON. That is our understanding. Dr. Eikhorn was the second veterinarian, if you would like to have his name, who said that it was the foot-and-mouth disease.

Mr. ANDERSON. Whom did he represent?

Mr. HUDSON. The Bureau of Animal Industry. He is the authority on the foot-and-mouth disease.

Mr. ANDERSON. Who is Dr. Dumphy?

Mr. HUDSON. He is the State veterinarian of Michigan.

Mr. ANDERSON. And Dr. Graham?

Mr. HUDSON. He is a veterinarian in Michigan.

Mr. Moss. If you can, give the committee the name of the first veterinarian in the employ of the United States Department of Agriculture who diagnosed this disease as the foot-and-mouth disease.

Mr. HUDSON. My impression is that it was Dr. Eikhorn.

The CHAIRMAN. He was called in consultation by Dr. Dumphy?

Mr. HUDSON. The first visit was from a veterinarian of the United States Department of Agriculture from Detroit. I do not know his name. He made the diagnosis as stomatitis. Then in September they sent Dr. Eikhorn there.

The CHAIRMAN. I am not interested in the one who made the false diagnosis; I am interested in the one who made the first correct diagnosis.

Mr. HUDSON. I think it was Dr. Eikhorn.

The CHAIRMAN. At what time?

Mr. HUDSON. A month previous to the meeting of the show.

Mrs. HENNING. Dr. Bennett is the veterinarian who was so successful with the disease in 1908 when the foot-and-mouth disease broke out, and he has been very active all along in trying to stamp it out. Am I not correct?

Mr. RAMSEY. Dr. Bennett was in charge of the foot-and-mouth outbreak in 1908.

Mr. ANDERSON. What is your theory of the liability of the Government for the expense incurred in connection with this quarantine?

Mr. HUDSON. The United States has charge of the inspection of the Union Stock Yards, and the veterinarian there did not report it to the Chief of the Bureau of Animal Industry and allowed these people to assemble there.

Mr. ANDERSON. You think the officers of the Government were negligent in not prohibiting the holding of the show in view of the fact that they had knowledge that the disease existed?

Mr. HUDSON. Yes, sir.

Mr. YOUNG. You made a statement which I did not quite catch, that when this trouble occurred somebody advised the cattle people to ship out all their cattle?

Mr. HUDSON. Yes, sir. That came from the county veterinarian, because there was to be a quarantine put on that county, and if they did not get rid of the cattle they would be in a very serious position.

Mr. YOUNG. That was not any Government agent?

Mr. HUDSON. No, sir. They started and they got in the stock yards from Niles, Mich., in September.

The CHAIRMAN. This bill calls for an appropriation of $500,000. What is the theory of the amount fixed in this bill, what loss have you suffered, the total loss?

Mr. HUDSON. That amount was stated without any suggestion, without any consultation with anybody.

The CHAIRMAN. I assume that.

Mr. HUDSON. Of course, that is subject to amendment. I just fixed that amount because I knew of the great expense the men had been to there in caring for the valuable cattle as carefully as they have.

The CHAIRMAN. What is the amount you have suffered on account of this quarantine?

Mr. HUDSON. There are between 40 and 50 exhibitors there and 740 head of cattle of the different breeds—Guernseys, Jerseys, Belted Holland, Brown Swiss, and Holsteins. I think that covers them. Many of these animals are extremely valuable. It has taken from 15 to 30 years to bring some of these animals to perfection. A young bull, a son of the grand champion, I bred his breed for 30 years. He was not exhibted by me. He was an extremely valuable animal. The disease struck him while there and he died. What value the owner would place on that animal, after 30 years of breeding, an animal that had obtained 97 championships, I do not know, because the value of an animal is what the owner would wish to put on it for breeding purposes. I have kept a very carefully tabulated statement of the actual expenses to those people and they already represent $150,000 to $175,000.

The CHAIRMAN. Did you exhibit your stock?

Mr. HUDSON. I did not, but a number of the animals that I bred were exhibited.

Mr. HELGESEN. That does not include the loss of the animals?

Mr. HUDSON. No, sir.

Mr. ANDERSON. Were any of them slaughtered?

Mr. HUDSON. Not the prize herd, no, sir. I would say that we do not know how much longer they will be kept there. Our quarters are at the Hawthorn race track. We secured new quarters at the Hawthorn race track, leased them to the first of April. What that will add to the bill we do not know. Dr. Eikhorn went there in January and said that the herd was absolutely free from the foot-and-mouth disease, and if he had the power he would allow the animals to go home at once. If we can ship out by the end of the next two months I think that $250,000 to $300,000 would cover the entire matter. We have had a few animals die, not many, two or three grand champions.

The CHAIRMAN. What do you figure as the expense?

Mr. HUDSON. Up to the present time, I think, $150,000.

The CHAIRMAN. How do you reach that amount?

Mr. HUDSON. For feed, grain, wages, salaries, stall rents, assessments, etc. For instance, we pay Dr. Hughes $3,000 a month. He is considered the authority in this country outside of Government employ. He is employed by the Breeders' Association.

The CHAIRMAN. You can not very well figure in the cost of the feed because you would have to feed the animals any how?

Mr. HUDSON. I will tell you something about the prices which we have been forced to pay. Hay in this country ranges from $16 to $24 per ton this side of the Mississippi.

The CHAIRMAN. What are you paying out there?

Mr. HUDSON. $40 a ton. Besides we have from 54 to 80 pounds to the hundred.

Mr. HAUGEN. Is that the ordinary price, $40 a ton?

Mr. HUDSON. That is what they charge us.

Mr. HAUGEN. In the stockyards?

Mr. HUDSON. Yes, sir.

Mr. HAUGEN. The Stock Yards Co. charges that?

Mr. HUDSON. Yes, sir; and they compel us to buy there.

Mr. HAUGEN. Is that the ordinary price around there?

Mr. HUDSON. It is only during exhibition week. The animals or horses usually stay there for a week. They claim it is on account of the cost of handling them and they just double up the price on everything. Bran the same way.

Mr. HAUGEN. The Stock Yards Co. has taken advantage of the situation?

Mr. HUDSON. During exhibition week they charge the same prices.

Mr. HAUGEN. I mean during the quarantine period?

Mr. HUDSON. They charge the same rate during exhibition week as during the quarantine period.

Mr. HAUGEN. What did they charge there before?

Mr. HUDSON. It is like a county fair or a State fair.

Mr. HAUGEN. There has been a good deal of complaint to me that they have been holding up the people and charging exorbitant prices.

Mr. HUDSON. Yes, sir.

Mr. HAUGEN. In fact, our legislature passed a resolution memorializing Congress to that effect. My understanding is that the average price paid for hay at the stock yards runs about $1.25 a hundred, which would be $25 a ton.

Mr. HUDSON. That I can not tell you.

Mr. HAUGEN. You have been paying $40?

Mr. HUDSON. Yes, sir.

Mr. HAUGEN. And buying hay from the Stock Yards Co.?

Mr. HUDSON. Yes, sir; we are compelled to.

Mr. ANDERSON. Why?

Mr. HUDSON. They would not let any other feed come there.

Mr. HAUGEN. What is the price paid for corn?

Mr. HUDSON. My impression is that the price of bran was $35 a ton and the ordinary price is $22 to $24 a ton.

Mr. HAUGEN. And corn?

Mr. HUDSON. I do not know the price of corn, but the price of oil meal was $40 to $45 a ton, and I think $26 a ton is the ordinary price. They almost double all prices.

The CHAIRMAN. You say that they compel you to pay these prices and buy from the Union Stock Yards Co. Whom do you mean by that?

Mr. HUDSON. They control these buildings and they will allow nothing to be shipped in there.

Mrs. HENNING. The Union Stock Yards Co. owns the buildings.

The CHAIRMAN. You used the words that they compelled you to buy from this Union Stock Yards Co. Who does that, the Federal Government or the Union Stock Yards Co.?

Mr. HUDSON. The Union Stock Yards Co.

Mr. Moss. Did any of the cattle actually have the foot-and-mouth disease?

Mr. HUDSON. They had what they call the secondary, the same as a person would carry the measles from one room to another without coming in contact. All of the animals, every one of them, recovered.

Mr. Moss. Some of them actually did have the foot-and-mouth disease?

Mr. HUDSON. Secondary or light cases.

Mr. Moss. All of them were exposed to it?

Mr. HUDSON. No, sir; only by contact.

Mr. Moss. Was there any proposition made by the Government to slaughter the cattle?

Mr. HUDSON. That is contradictory. It was reported that there was an order sent out originally to slaughter those animals, and influence was brought to bear so that the order was held up, so I understand, and Secretary Houston, I believe, said that the animals would not be slaughtered until it was proved that it was necessary to slaughter them. The first order, I understand, was given out, but denied by some people. Whether it was denied by the bureau or not, I do not know.

Mr. Moss. What was the attitude of the owners of the cattle as to the slaughtering?

Mr. HUDSON. They were absolutely opposed to it. There are several different kinds of foot-and-mouth disease. Some are virulent to the extreme, and those animals should be slaughtered; there is no question about that. Others are what they call the light form. One of the animals who had the light form in three weeks after she recovered was giving 70 pounds of milk a day. That does not look very virulent. There were very many other animals in the same way.

There were some Guernseys here that contracted the disease 20-odd years ago in this country, in Maryland, and it was stated by the veterinarians that those animals would not breed, but their descendants are now some of the greatest animals we have in the country to-day. That is positive proof.

Mr. Moss. You think the attitude of these owners was absolutely opposed to slaughter. Was that on account of the fact that the slaughtering was unnecessary to protect the cattle or on account of the value of the cattle?

Mr. HUDSON. Because it was unnecessary and on account of the breeding value of these animals which had taken many of the breeders 15 to 30 years to perfect.

Mr. Moss. Had they been a herd of ordinary cattle, what would have been the attitude of the owners—would they have resisted slaughtering?

Mr. HUDSON. No; because they would get pretty near the value.

Mr. Moss. The fact of their being so very valuable was the reason for wanting to resist the slaughtering?

Mr. HUDSON. And on account of the breeding conditions in this country. We are trying to upbuild the breeding animals of this country and of the world. With the growth of the cities, milk, butter, and everything else is, according to the population, decreasing; there is no question about that. We are trying to breed better producers all the time. We have been doing that for many years.

Mr. Moss. Was any negotiation entered into between the owners of the cattle and the Government looking to obviating the necessity of slaughtering?

Mr. HUDSON. Yes, sir; we sent a committee to Dr. Melvin to say that it was absolutely unnecessary to slaughter these animals, and Secretary Houston held up the slaughtering.

Mr. Moss. What proposition did this committee, representing the owners of the cattle, make that they would be willing to do if the Government would forego the power to slaughter the animals?

Mr. HUDSON. They can answer that question.

Mr. Moss. Can you answer the question?

Mr. HUDSON. No, sir; except by hearsay.

Mr. Moss. Then I will pass it. These cattle have been removed to new quarters?

Mr. HUDSON. Yes, sir; moved 8 miles.

Mr. Moss. Was that removal made at the request of the Government or at the request of the owners of the cattle?

Mr. HUDSON. That was a suggestion made by the veterinarian; he ordered it.

Mr. Moss. Did the suggestion first come from a Government veterinarian?

Mr. HUDSON. The suggestion came from the veterinarian; he took it out of our hands.

Mr. REILLY. What veterinarian?

Mr. HUDSON. The State veterinarian.

Mr. Moss. A veterinarian employed by the Government or a veterinarian employed by the owners?

Mr. HUDSON. The State veterinarian.

Mr. Moss. He suggested a change?

Mr. HUDSON. Yes, sir. Those animals have been there now since the 4th of January, and up to yesterday, the 24th of February, no animal had died.

Mr. Moss. Can you tell the committee whether or not it is a fact that the owners of the cattle agreed that if the Government would consent to this change that they would pay all of the expenses, including the treatment of the cattle?

Mr. HUDSON. No, sir; not to my knowledge.

Mr. Moss. You do not know whether they did or did not make it?

Mr. HUDSON. I feel very certain they did not.

Mr. Moss. I have no special knowledge, except what I read in the papers. I certainly saw the statement that the owners of the cattle had proposed to the Government that they would pay all of the expenses of the treatment, supervision, and expenses of every kind, and that the Government might hold these cattle until it was absolutley demonstrated that they were not infected and release them.

Mr. HUDSON. There was a suggestion made by some persons outside without authority that that be carried out. I do not know that it was ever suggested by the committee.

Mr. Moss. You admit that the Government did have the right to kill the cattle of the National Dairy Show——

Mr. HUDSON (interposing). No, sir; it was private property.

Mr. Moss. You admit the fact that a great many thousands of herds of cattle have been slaughtered under exactly the same circumstances, without the consent of the owners?

Mr. HUDSON. Necessarily, in many instances.

Mr. Moss. Then you have no knowledge whatever of negotiations between the owners of these cattle and the Government, if any, under the terms of which the slaughter should not take place?

Mr. HUDSON. I have no particular information of it.

Mr. ANDERSON. You made some statement with respect to the prices charged for feed and hay; now, what did you do? Did you rent a building for that show?

Mr. HUDSON. This show is held under the auspices of the National Dairy Show, which rents buildings during exhibition week from the Union Stock Yards, the owner of those buildings.

Mr. ANDERSON. Is it a fact that what you might call extraordinary prices are charged in order to make an income from the feed, etc., to cover the rent and other expenses of the show?

Mr. HUDSON. Well, the buildings, I might say, are worth maybe $20,000, and the rent was about $100,000 a year, or at that ratio.

Mr. ANDERSON. Is it a fact that that is the excuse for making those charges—that is, that it is necessary in order to cover the expenses in connection with the show?

Mr. HUDSON. Yes, sir. We have nothing, and we are charged store rent and that store rent is something prohibitive.

Mr. ANDERSON. What do you mean by store rent?

Mr. HUDSON. Each animal is stalled during the show.

Mr. ANDERSON. Who makes that charge?

Mr. HUDSON. The Union Stock Yards.

The CHAIRMAN. The Government has nothing to do with that?

Mr. HUDSON. No, sir.

The CHAIRMAN. The Government has nothing to with the charging of rents?

Mr. HUDSON. No, sir.

Mr. Moss. Were you charged any higher for feed and other things than the farmers were charged when they shipped cattle to the stockyards to be sold?

Mr. HUDSON. That I can not tell. I do not know what the farmer pays who sells animals there for killing purposes.

Mr. Moss. For instance, cattle shipped there by farmers are fed hay, and the charge for that is fixed by the Union Stock Yards; now, do you know whether you paid the regular price?

Mr. HUDSON. That I can not say.

Mr. REILLY. What price are you paying at the new place?

Mr. HUDSON. It is very much lower.

Mr. REILLY. Is it the ordinary price?

Mr. HUDSON. It is about the ordinary cost.

Mr. REILLY. If information had been circulated that the foot-and-mouth disease had broken out at Niles, Mich., in September, would there have been any stock show in Chicago?

Mr. HUDSON. No, sir.

Mr. REILLY. The breeders would not have gone there with their cattle?

Mr. HUDSON. Unquestionably not; because they know what a violent disease this is. We could not have sent the animals there and exposed them and brought the disease back among the finest herds in this country.

Mr. REILLY. Then, your contention is that the Government is liable for and ought to pay the cost of this quarantine because the Government officials failed to give public notice of the fact that the foot-and-mouth disease existed at Niles, Mich.?

Mr. HUDSON. Yes, sir.

Mr. MCLAUGHLIN. How far is Niles, Mich., from Chicago?

Mr. HUDSON. I think it is a very short distance.

Mr. MCLAUGHLIN. About 100 miles?

Mr. HUDSON. It is from one to two hundred miles.

Mr. COOPER. Suppose the Government had slaughtered these splendid herds of cattle and had paid its share of the cost, what would the Government have had to pay?

Mr. HUDSON. That 740 head were worth to these breeders anywhere from $1,250,000 to $2,000,000.

Mr. ANDERSON. Of course the Government would not under any circumstances pay the breeding value of the cattle.

Mr. HUDSON. In one of the counties in Illinois recently, or two months or so after this exhibition was over, they killed a brown Swiss herd. The county or State appointed one appraiser and the owner appointed another appraiser and they took a third appraiser, and the value of those animals was put down to the State at forty-odd thousand dollars, or at the actual breeding value to the owners.

Mr. ANDERSON. I do not think it has ever been the intention of Congress or of the department to pay other than the utility value of cattle.

Mr. HUDSON. Allow me to say this: Can you tell the difference between the value of these dairy cattle and the value of the beef breeds for slaughter purposes for food? That is an entirely different proposition. There have been very few, if any, dairy animals ever killed in the United States because of foot-and-mouth disease. There have been very few of them killed, but it has usually been the scrub animal or the animal fit only for beef purposes.

Mr. ANDERSON. Just to get at your point of view, I will ask you whether you think the Government ought to pay the breeding value of the herd of cattle in case it finds it necessary to slaughter them in the course of stamping out a disease like the foot-and-mouth disease?

Mr. HUDSON. When these animals were on exhibition and the animals were congregated, and the Government did not stop the congregation of those animals, the Government should unquestionably pay the value of the property destroyed.

The CHAIRMAN. I understand that Mr. French, the chairman of this committee, is present and that he has all the facts at his fingers' ends. It would probably be better for you to allot the time, Mr. French, if you have more than one witness to be heard, so that we can get the testimony in consecutive order.

STATEMENT OF MR. G. WATSON FRENCH, OF DAVENPORT, IOWA, CHAIRMAN OF THE DAIRY EXHIBITORS' ASSOCIATION.

Mr. FRENCH. Mr. Chairman and gentlemen of the committee, allow me to say now that if I do not talk very clearly it is because I am a little bit under the weather. I have a bad cold, but will do the best I can.

I am representing 41 breeders from 12 different States who exhibited at the dairy show in Chicago last fall, where there was the best collection of dairy cattle ever shown in this country at one time. These breeders are men of character and standing in their various communities and are law-abiding citizens who are engaged in the great work of raising the standard of efficiency of the milk-producing cows for the benefit of humanity. When the show opened, about October 24, it was known by the Government veterinarians that cattle from Michigan to be shown at the dairy show had probably been exposed to the foot-and-mouth disease. So Dr. Bennett ordered shavings thoroughly disinfected to be placed before the cattle stables. He being fearful of infection, they should have prevented the show before it started.

Mr. HAUGEN. Who was that?

Mr. FRENCH. The Government veterinarian in charge at Chicago.

Mr. ANDERSON. In charge of what?

Mr. FRENCH. He was the veterinarian of the United States Government in Chicago. The Government inspections started precautions after the arrival of the first cattle on October 21, because they were fearful of an outbreak.

Mr. MCLAUGHLIN. Will you state the date of the outbreak at Niles, Mich.?

Mr. FRENCH. I have not the exact date, but my recollection is that the outbreak at Niles, Mich., was about the 1st of October.

Mr. HUDSON. Here is a letter showing it was about the 7th of August.

Mr. FRENCH. I am talking about this outbreak to which our cattle were exposed.

Mr. MCLAUGHLIN. I mean the first outbreak of which the Government had any knowledge.

Mr. FRENCH. That was in August.

Mr. MCLAUGHLIN. And the show was upon what date?

Mr. FRENCH. On the 21st of October.

Mr. HUDSON. On the 22d of October.

Mr. FRENCH. The cattle came in on the 21st of October, and that is when the exhibition commenced. This place here in Michigan that might have been infected was Grass Lake. I suppose that is what you are asking about. That had developed early in October.

Mr. MCLAUGHLIN. Do you mean Grass Lake in Michigan?

Mr. FRENCH. Yes, sir.

Mr. MCLAUGHLIN. That is a long ways from Niles.

Mr. FRENCH. Yes, sir. On Thursday, October 29, Dr. Dyson, the Illinois State veterinarian, and Dr. Bennett, the Government veterinarian, stated in open meeting that they were absolutely sure that there was no danger among the cattle, nor any possible danger, and

that they did not know of a single case in the stockyards. They did know, however, that early in October cattle and hogs from the infected districts in Michigan had passed through the yards.

Mr. HOWELL. Had your association been told of that fact?

Mr. FRENCH. No, sir; this fact developed later.

Mr. HAUGEN. You said that a veterinarian who was supposed to have knowledge of foot-and-mouth disease assured you that there was no danger, but you did not state what veterinarian knew of its existence. Was that a veterinarian of the Federal Government?

Mr. FRENCH. The veterinarians of the Federal Government. It is their duty to advise the State governments.

Mr. HAUGEN. They advised the shipping of the cattle?

Mr. FRENCH. Yes, sir; and if they were competent they must have known that this statement that there was no possible danger was untrue. To prove that they knew that there was danger on the same day that they made their statement that there was no possible danger, they refused the owners of cattle permission to remove their cattle, claiming that they wanted them to remain under observation for a week. No foot-and-mouth disease had then broken out among our cattle; they stated positively that there was none in the yards, and the owners of the cattle asked permission to send them in sealed cars, disinfected, back to their own States, and their own States offered to receive them, but the Government refused to allow them to go. As a matter of fact, the moment that our animals entered the yard on the 21st of October, the Government had control of them and they never intended to allow them to go out. On the other hand, at the same time, they allowed the Union Stock Yards to ship feeders on Friday, Saturday, Monday, and Tuesday following, and those shipments carried the disease to Iowa, Illinois, Indiana, and other States.

Mr. HAUGEN. They were shipped out under what regulations?

Mr. FRENCH. Of the United States Government. The same officials who closed up our cattle and refused to allow them shipped in sealed cars had charge of those shipments.

Mr. HAUGEN. What was the regulation as to the disinfection of cattle going through the stockyards?

Mr. FRENCH. I do not know whether there was any disinfecting done or not; we offered to pay for disinfection.

Mr. HAUGEN. You claim that a discrimination was made?

Mr. FRENCH. I claim that the farmer can not get the same treatment at the hands of the veterinarians of the United States Government at the Chicago yards, stationed there in full charge, that the Union Stock Yards can get and have been getting all the time. Gentlemen, they allowed a member of the Union Stock Yards to ship 8,000 cattle affected with the foot-and-mouth disease from Peoria, Ill., to the Union Stock Yards, where they were slaughtered and sold.

The CHAIRMAN. Was that done under a Federal order or State order?

Mr. FRENCH. Both of them had to agree to it.

Mr. HAUGEN. Was that done by permission of an official of the Federal Government?

Mr. FRENCH. That was by permission of the Federal Government.

Mr. HAUGEN. Had those cattle been exposed to the infection?

Mr. FRENCH. I do not know whether it is necessary for cattle to be exposed in order to have the foot-and-mouth disease; but they had the foot-and-mouth disease.

Mr. HAUGEN. Do you mean the cattle that were shipped?

Mr. FRENCH. Yes, sir. The cattle were at a distillery at Peoria before they were shipped. I would not make that statement here unless I was sure of my grounds.

Mr. HAUGEN. You say that they had the foot-and-mouth disease?

Mr. FRENCH. Yes, sir, they had the foot-and-mouth disease at Peoria.

Mr. HAUGEN. And that fact has been established?

Mr. FRENCH. It has been admitted by the United States officials.

Mr. HAUGEN. And the cattle were shipped?

Mr. FRENCH. The cattle were shipped to the Union Stock Yards and were sold as beef.

Mr. HAUGEN. The explanation, I think, is this, that of a herd of, say, 100 head of cattle, if 5 were affected with the disease, those affected would be slaughtered on the premises and the balance of them shipped in sealed cars to Chicago for immediate slaughter. I simply wish to clear it up, that is all. I am glad you made the statement, because that is what the committee wants, the facts.

Mr. LESHER. Did the State of Iowa allow them to kill those cattle?

Mr. FRENCH. This was in Illinois.

Mr. HOWELL. Who owned the cattle in Illinois?

Mr. FRENCH. The Morris Packing Co. owned the cattle and shipped them there to sell them.

Mr. HAUGEN. They were fattened at the distillery at Peoria?

Mr. FRENCH. Yes, sir.

Mr. LESHER. Did the State of Illinois pay for those cattle?

Mr. FRENCH. The Morris Packing Co. made them into beef, and you probably have had some of the steaks ere this.

Mr. HOWELL. Does the Morris Packing Co. have any connection with the Union Stock Yards?

Mr. FRENCH. They are members.

Mr. MOSS. When a territory had been quarantined within a State and they wanted to ship animals out for immediate slaughter, that permission was given everywhere, was it not?

Mr. FRENCH. No, sir.

Mr. MOSS. It was not?

Mr. FRENCH. At first it was not. At first they could not ship them for immediate slaughter, but afterwards that was modified so that they could ship them for immediate slaughter except from a 5-mile radius of the place quarantined.

Mr. MOSS. Let us take that up: Under what conditions could they ship them out of quarantine?

Mr. FRENCH. For immediate slaughter.

Mr. MOSS. By getting the permission of the State veterinarian, and this veterinarian had to be sent to examine the stock and had to give a certificate that the stock was not diseased—that is true, is it not?

Mr. FRENCH. That is the ordinary procedure.

Mr. MOSS. That is the regulation issued by the United States Government, is it not?

Mr. FRENCH. I do not know; I have no personal knowledge of it.

Mr. Moss. Would you say it is not so?

Mr. FRENCH. I would not.

Mr. Moss. As a matter of fact, is it not true that when that regulation was modified all stock could be shipped out of quarantine areas to the stockyard and put in the quarantine section for immediate slaughter, provided before they were shipped they were examined by a competent veterinarian and a certificate given by him to the effect that the stock was not suffering from foot-and-mouth disease?

Mr. FRENCH. I have not known of any cases where they allowed them shipped out of the 5-mile radius under those circumstances.

Mr. Moss. You have not quite answered the question I put to you.

Mr. FRENCH. Let me explain the conditions, and perhaps that will answer your question. They never quarantined these cattle, and never shipped within the 5-mile radius, but they simply shipped them out——

Mr. Moss (interposing). I am not interested in that. I am interested in the general statement from you that the farmers can not get the same advantages from the Government that other people get. I want to know, as a matter of fact, whether stock that is quarantined can be shipped out of that quarantined area for immediate slaughter, provided the stock is first examined at the place where quarantined and pronounced to be free from the disease.

Mr. FRENCH. I think that a later modification was made so that that might be done.

Mr. Moss. Do you understand that within a strictly State area the United States Government has power greater than the State in quarantine matters?

Mr. FRENCH. No, sir.

Mr. Moss. In shipping cattle from Peoria, Ill., to Chicago, Ill., which had the higher power, the State of Illinois or the Federal Department of Agriculture?

Mr. FRENCH. The State of Illinois.

Mr. Moss. So that the question there was one of joint action by the State and the United States, with the State having higher power?

Mr. FRENCH. Yes, sir.

Mr. HUDSON. In the State.

Mr. FRENCH. Now, these animals, the moment they are put in the yards, are subject to governmental inspection.

Mr. Moss. That is, when they reach the stockyards at Chicago?

Mr. FRENCH. Yes, sir.

Mr. Moss. But not before that time?

Mr. FRENCH. No, sir. When they reached there, then the Government passed those cattle and they were made into beef.

Mr. HELGESEN. Did the Government veterinarian have knowledge of the fact that those cattle, when they were at Peoria, had the foot-and-mouth disease?

Mr. FRENCH. He had assistants there at the time to examine them.

Mr. HELGESEN. Did the Federal Government give its consent to their sale as beef after developing the fact that they had foot-and-mouth disease?

Mr. FRENCH. They did.

Mr. Moss. Could the Government have prevented the shipment of cattle from Peoria to Chicago, provided the State veterinarian passed them?

Mr. FRENCH. They could not.

Mr. HELGESEN. But, as a matter of fact, it was not necessary for the Government veterinarian to give his consent, even though he could not stop it, was it?

Mr. FRENCH. What a veterinarian will do is beyond my conception. On October 29 the officials of the United States Government took possession of our cattle, and the veterinarians used every means in their power to force the slaughter of those animals. The breeders then appealed to the Secretary of Agriculture, who, appreciating the disaster to the future welfare of the breeders of this country which would follow the destruction of that wonderful foundation stock, some of which could not be replaced by money, because they are the only living examples of certain lines of breeding, promised to help to save the herds, for which all credit to him. We employed Dr. Hughes, of Chicago, the president of the veterinarian college there, after he had found that it was agreeable to the Bureau of Animal Industry and to Dr. Dyson, the State veterinarian of Illinois. All of the veterinarians were cocksure—none of them having had any experience with the foot-and-mouth disease personally, as in this country they have always killed the stock when they could, and so there was no chance given for observation—that these animals in most cases would die and in the other cases would not be worth saving. But when Dr. Hughes was successful, then all of the machinations of bureaucracy were leveled against him and our cattle, in order to belittle the whole proposition, although before taking up this matter he was acknowledged as one of the leading authorities. Although he had stood at the top of his profession, these attacks were made on him through the press and through bulletins, some of which were paid for by the stockyards and sent out by the United States Government veterinarians, thereby inflaming the whole country.

Mr. ANDERSON. What do you mean by that?

Mr. FRENCH. I mean to say that the stock yards furnished a great many thousands and tens of thousands of circulars giving their side of the case, which were sent out by the Bureau of Animal Industry.

Mr. HELGESEN. Sent out as Government documents?

Mr. FRENCH. I do not know.

Mr. HELGESEN. Was it franked?

Mr. FRENCH. I do not know. I know that they were sent out.

Mr. ANDERSON. Have you a copy of the document?

Mr. FRENCH. I have not at the moment, but I think I can get it for you.

Mr. HELGESEN. I suggest that you furnish a copy of it for the record.

Mr. FRENCH. I will do so.

The bureau has issued literature on the foot-and-mouth disease from Germany, Great Britain, and South America, but nothing from the United States, because no test had ever been made before here.

Mr. ANDERSON. Do you contend that the policy of the Government in slaughtering cattle affected with foot-and-mouth disease is an improper policy?

Mr. FRENCH. I do not.

Mr. ANDERSON. Do you contend that the European policy is a better one?

Mr. FRENCH. I have never claimed that the Government's policy was wrong. It is purely an economic question.

Mr. REILLY. How many head of the dairy herd cattle had the foot-and-mouth disease?

Mr. FRENCH. All the animals had it.

Mr. REILLY. All of them had it?

Mr. FRENCH. They were all locked in and we were not allowed to separate the animals. We begged the privilege of separating them so as to limit the disease, but they were all confined in one place so that all of them might take it. They condemned the whole bunch to slaughter and they played no favorites.

Now, in order to show you the way in which the veterinarians have been working this business, which has been extremely profitable to them, after having denounced the fact that the breeders' herd was not underground, publicly and openly in their convention last week they criticised most seriously the Secretary of Agriculture. In order to find out how far they would go, I offered this resolution. I tried to word it so that it would give offense to no one.

Mr. LEE. Before what body was it offered?

Mr. FRENCH. The United States Live Stock Sanitary Association, which is composed largely of the veterinarians of the United States. The resolution I offered is as follows:

Resolved, That it is the sense of the members of the United States Live Stock Sanitary Association in convention assembled, that the action of the Secretary of Agriculture at Washington and of the State Board of Live Stock Commissioners of Illinois, be and is hereby highly commended for permitting the owners of the Dairy Show animals, which contracted foot-and-mouth disease while on exhibition at the Union Stock Yards, Chicago, in the fall of 1914, to carry their cattle over for the purpose of observing the progress of the disease, and when it had apparently run its course, submitting these cattle to experiments so as to determine their freedom, or otherwise, from disease, and, at the same time, by careful observation and the taking of accurate scientific data, contributing to the general knowledge on this disease—a knowledge which at the present time is woefully incomplete—and which in the future may be of inestimable value in determining what disposition should be made of animals under similar circumstances.

Mr. ANDERSON. If I remember the testimony of Dr. Melvin before the committee some time ago, he said the reason why the department and its veterinarians had not experimented with the disease was because they thought it was so dangerous that it ought not to be permitted. Do you disagree with that view?

Mr. FRENCH. I do not.

Mr. ANDERSON. I understood that you contended that the Government ought to take these diseased cattle and experiment with the disease in order to determine its character——

Mr. FRENCH (interposing). I am speaking of this specific case. These animals are in an ideal quarantine place, and in my opinion it would have been a crime to have killed those animals until every effort had been made to try to save them.

Mr. ANDERSON. I want to ask another question, because I think I may have misunderstood you. I understood you to say that all of these animals were affected with foot-and-mouth disease?

Mr. FRENCH. Yes, sir; all had the foot-and-mouth disease.

Mr. ANDERSON. Those cattle at the show?

Mr. FRENCH. Yes, sir.

Mr. HOWELL. I understood your statement to be that some of them had it and that you were compelled to keep all of them together, so that all of them got it?

Mr. FRENCH. One animal had it at first, and when that animal had it we asked permission to separate the animals, but we were refused that permission. Some of the animals did not get the disease for six weeks, and a large number of them could have been saved if we had been allowed to separate them.

Mr. HOWELL. What action was taken on that resolution?

Mr. FRENCH. It didn't even get out of the subcommittee. They said in view of the remarks that had been made on the floor two days before on the foot-and-mouth disease it would be useless; but, however, we could bring it on the floor. But we had no desire to see a mess made of it, and perhaps a reflection upon the Secretary of Agriculture, and therefore it was not pressed.

Mr. HUDSON. Mr. Chairman, may I ask Mr. French a question?

The CHAIRMAN. Certainly.

Mr. HUDSON. Mr. French, will you tell the members of the committee present if there were any of the seven hundred and forty and odd animals that died with the foot-and-mouth disease and about the number, if there were any?

Mr. FRENCH. No adult animal died of the foot-and-mouth disease. The calves born while the cows were at the height of the fever—most of them died. Of the calves born after the cows recovered, 75 per cent are alive and well, and none of them had the foot-and-mouth disease.

Mr. LEE. Are these cattle entirely recovered?

Mr. FRENCH. I would enter them in a show to-morrow with anybody's cattle; they are that good.

Mr. HUDSON. I should like to ask Mr. French one other question?

The CHAIRMAN. Certainly.

Mr. HUDSON. Mr. French, can you state whether the Breeders' Association agreed at any time to carry on this experiment at the expense of the breeders, they paying the expense of the entire experiment?

Mr. FRENCH. No one who had any authority to speak made any such agreement.

Mr. MOSS. What proposal was made, either with or without authority?

Mr. FRENCH. I never heard of a proposal being made that looked toward the breeders doing anything but obtaining their money in the end from the United States Government.

Mr. MOSS. You stated that the owners sent a committee to confer with the Secretary of Agriculture?

Mr. FRENCH. Yes, sir.

Mr. MOSS. Please state to the committee what the basis of that conference was, what was proposed by the breeders, and what they asked of the Secretary.

Mr. FRENCH. The breeders asked of the Secretray permission to remove the animals from the stock yards owing to the cramped quarters and the excessive cost of food and rent to another place where it would be cheaper to house them and where they could be better cared for.

Mr. Moss. The removal came at the request of the owners of the cattle and was agreed to by the Government?

Mr. FRENCH. Yes, sir.

Mr. Moss. At whose expense was this removal to be made, who was to bear the expense, the owners of the cattle or the Government?

Mr. FRENCH. The owners were compelled to pay the expense in order to get anything done.

Mr. Moss. When they proposed this matter, did they propose to remove them at their own expense, or did they expect the Government to pay the expense?

Mr. FRENCH. We expected the Government to pay the expense.

Mr. Moss. Was that proposed to the Secretary?

Mr. FRENCH. I do not think that anything was said to the Secretary specifically about any payment.

Mr. Moss. Who first secured control of this new site, who secured permission to use it?

Mr. FRENCH. The owners.

Mr. Moss. Were the owners to pay for the rent of the new site?

Mr. FRENCH. Yes, sir.

Mr. Moss. Was there anything said between this committee and the Secretary of Agriculture regarding the expense of the veterinarian to treat the cattle?

Mr. FRENCH. No, sir.

Mr. Moss. Did the owners specifically agree that if the Government would consent to this, they would employ a high-grade veterinarian to treat the cattle and to cure them and to demonstrate the fact that they could go back to the farms with perfect safety?

Mr. FRENCH. Our veterinarian was hired long before we moved from the stock yards.

Mr. Moss. That is true. You understood that removal meant detention for quite a time and did the owners understand that this was brought forth as an alternate proposition to immediate slaughter? Was that right?

Mr. FRENCH. The owners never agreed to immediate slaughter.

Mr. Moss. I understand that, but this conference came about; and was the removal and detention regarded as an alternate proposition to immediate slaughter?

Mr. FRENCH. No, sir.

Mr. Moss. Was there any discussion between your committee and the Secretary of Agriculture as to who should bear the expense of the cattle while in detention?

Mr. FRENCH. That was not mentioned.

Mr. Moss. What was your understanding and the understanding of the committee—that the Government was to pay the expense if the Government would permit the owners to take the cattle to this location, selected by themselves—was the Government to pay the expense or the owners?

Mr. FRENCH. As the Government allowed us to save the cattle, we expected that they would pay all the legitimate bills, and the moving was just as legitimate a bill as the food of the animals.

Mr. Moss. Did you put that up to the Secretary as one condition, that if you removed them to the new quarters you would expect the Government to pay the expense?

Mr. FRENCH. That was not mentioned.

Mr. MOSS. How long after an animal has apparently recovered from the foot-and-mouth disease, in your judgment, can it carry the germs around to the extent of transmitting the disease to another animal?

Mr. FRENCH. The judgment of anybody in this country, outside of two or three people who have had experience in the foot-and-mouth disease in the other country, is worth just the same as yours would be.

Mr. MOSS. Would you consider that Dr. Melvin was one of those whose judgment was worth something?

Mr. FRENCH. No, sir; because he has not had personal knowledge of the disease and as to how it can be transmitted.

Mr. MOSS. I want to read you a statement made by Dr. Melvin before a committee of Congress and see if you agree to it or do not agree to it:

In Europe, where they have had the disease a great deal and have done some experimental work, they find that some animals will remain as carriers of the disease for as long as seven months after they have apparently recovered.

Do you believe that statement is true or not?

Mr. FRENCH. I do not know whether it is true or not.

Mr. HUDSON. I can give you a suggestion on that line.

Mr. MOSS. The value of your herd is largely for reproductive purposes, a breeding herd?

Mr. FRENCH. Yes, sir.

Mr. MOSS. What is the effect of the foot-and-mouth disease upon the power of cattle to reproduce?

Mr. FRENCH. In 1883, from the island of Guernsey, there was a shipload of cattle brought over to this country, quarantined at Baltimore, and afterwards moved over, I think, into Pennsylvania, where they got well; none of them died. The next year two of those animals took the world's record for milk production, and the great bull, Benjamin, who has probably done more for the Guernsey breed than any other bull, was one of those animals. His descendants are in every high-class Guernsey herd in this country to-day.

Mr. MOSS. Here is a statement by Dr. Melvin:

Well, that would be hard to say; that is, how many would completely recover, because many cows that are infected are impaired as to bearing calves afterwards. For instance, they will frequently become sterile for two or three or more years, some of them becoming permanently sterile, and they will not breed.

Have you considered that and do you approve of it?

Mr. FRENCH. Yes, sir; I think if you take 100 cows that some of them are going to be sterile for two or three years or permanently.

Mr. MOSS. He is speaking of the foot-and-mouth disease.

Mr. FRENCH. Of that I know nothing.

Mr. MOSS. In an article by Mr. Saunders, the editor of the Breeders' Gazette, he refers to the Mills herd. Is it not a fact that the Mills herd after they were sold did not become productive as breeders?

Mr. FRENCH. Some of them did not.

Mr. MOSS. Mr. Saunders states that the fact that those animals were not productive was because they had had the foot-and-mouth disease.

Mr. FRENCH. I should like to make an explanation. They had the foot-and-mouth disease three years previously and after that they

were sold in England, and the Englishmen came over here and bought those cattle and paid over $11,000 apiece on the average.

Mr. Moss. If it should develop in the course of this inquiry that your committee or a committee representing the owners of the cattle went over to the Secretary of Agriculture and requested permission to move their herd to these new quarters that they themselves had rented and the Secretary agreed to it, and if it develops that the owners agreed to treat their own cattle and bear the expense of the detention, would you think that this bill should pass?

Mr. FRENCH. Yes, sir.

Mr. Moss. Regardless of any representation that the committee representing the owners might have made?

Mr. FRENCH. The expense incurred prior to the removal of the cattle should not be wiped out by that.

Mr. ANDERSON. What was the date of the removal of the cattle from the place where they had been, at the show, to the new place?

Mr. HUDSON. To the Hawthorne race track.

Mr. FRENCH. I have not the exact date; it was early in January.

Mrs. HENNING. The 9th of January.

Mr. HUDSON. I should like to make a statement.

The CHAIRMAN. Certainly.

Mr. HUDSON. The English Government has been testing the foot-and-mouth disease not only in England, but in India, and it found that the longest case after a year's experience in India with the rough buffalo cattle, the worst cattle in India, was 10 days. That would be somewhat different from Dr. Melvin's statement. That has been issued by the English Government within a few months.

Mr. Moss. What authority?

Mr. HUDSON. It was printed in some of the western farm papers.

Mr. HELGESEN. The removal of the cattle to the place where you have them now was not only a matter of choice; you were compelled to leave the old quarters?

Mr. FRENCH. The rent was so excessive and the cost of the food so high that many of the breeders were compelled to. Let me state right here that most of the breeders are not rich men, and this was a great hardship on them. They also wanted to get the animals where they could get the sunlight and exercise, which they could not get in the cramped quarters.

Mr. Moss. If it developed in the course of this inquiry that the Government did not have knowledge that there was foot-and-mouth disease in the United States, and did not have knowledge that in taking your cattle to Chicago you were exposing them to the disease, then would you consider that you had a claim against the Government for reimbursement?

Mr. FRENCH. Most assuredly, I would.

Mr. Moss. I concede the fact that you have made a very damaging statement about the Department of Agriculture that must be cleared up. You have made the statement here that the department did have knowledge and suppressed it, and permitted this show to go on. If that is true, I admit that there should be some impeachments in the Agricultural Department, and I believe that the committee will want to go into that fact. If it developed that the department did not have knowledge, and if it developed that that statement made in perfectly good faith is not true——

Mr. FRENCH (interposing). I have not made the statement that the department had knowledge of it. I said they should have had knowledge of it.

Mr. MOSS. I understood you to say that they had knowledge of it. There is quite a difference between having knowledge and should have had knowledge. Do I understand you to say that your position is that the department should have had knowledge rather than that the department did have knowledge?

Mr. FRENCH. If you will just state the time.

Mr. MOSS. The 21st of October, 1914.

Mr. FRENCH. That they had no knowledge of the disease existing in Michigan at that time?

Mr. MOSS. Yes, sir.

Mr. FRENCH. They absolutely did have knowledge of the disease existing at that time?

Mr. MOSS. Your statement is that at the time you shipped to Chicago the department did have knowledge of the fact that there was foot-and-mouth disease?

Mr. FRENCH. Yes, sir.

Mr. MOSS. I think you also made the statement that it was known by the Government that cattle that was to be shipped from Michigan had been subject to infection?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. How many cattle were shipped to Chicago from the infected districts of Michigan?

Mr. FRENCH. I do not know how far the districts were marked by the Government as infected, but they were shipped from Michigan. One of our exhibitors was warned coming from the East not to ship by Niles, because they had the foot-and-mouth disease.

The CHAIRMAN. Who warned him?

Mr. FRENCH. When Mr. Ames comes in to-morrow he will bring you the telegram from the department and it will clear this whole matter up.

BOSTON, MASS., *February 27, 1915.*

Col. G. WATSON FRENCH,
New Willard Hotel, Washington, D. C.:

Letter to F. L. Ames, dated October 15, 1914, reference is made to your telegram of this date and bureau reply to same. I understand there has been outbreak of foot-and-mouth disease at Niles, Mich. Intend shipping show herd to National Dairy Show, Chicago, to-morrow. Can you advise me by wire at my expense to North Easton, Mass., whether it is safe to do so. Answered by telegram. Not determined definitely if cattle disease reported Michigan is foot and mouth. Letter follows. In this connection you are informed that should the bureau scientists who are now in Michigan decide that the disease reported from that State is foot-and-mouth disease, prompt steps will be taken to place the infected area under quarantine and absolutely prohibit movement of cattle therefrom. In this way there is little doubt but that cattle exhibited at the National Dairy Show at Chicago will be protected from coming in contact with the disease. Signed, A. D. Melvin. Letter follows.

F. L. AMES.

Mr. HAUGEN. You spoke of Michigan. Michigan is a large State. Have you any knowledge of any cattle being shipped from the infected district?

Mr. FRENCH. I do not know how much the department called the infected district. When they came to Iowa the whole State was infected, and then they modified a part of it.

Mr. HAUGEN. The whole State was quarantined?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. But not the whole State infected?

Mr. FRENCH. How far the infection extends, I do not know.

Mr. MOSS. Coming back to your statement, I made a memorandum at the time, "It was known to the Government that the cattle to be shown from Michigan had been exposed to the foot-and-mouth disease and that knowledge Dr. Bennett had in his possession." Is that substantially correct? You put it just that way?

Mr. FRENCH. I think I gave you that the first time.

Mr. MOSS. I will wait and refer to the record.

Mr. FRENCH. My statement was that having come from Michigan, where they had the foot-and-mouth disease, they might have been exposed and therefore he took this precaution to disinfect the premises.

Mr. MCLAUGHLIN. You spoke about the disease existing at Niles and you mentioned Grass Lake also. What about Grass Lake?

Mr. FRENCH. That was an outbreak that occurred later on.

Mr. MCLAUGHLIN. How much later?

Mr. FRENCH. I do not know the exact date.

Mr. MCLAUGHLIN. Before the opening of the show?

Mr. FRENCH. Yes, sir; early in October they had it at Grass Lake. Our first cattle came in on the 21st of October.

The CHAIRMAN. Did the department have knowledge of the outbreak at Grass Lake to your own personal knowledge?

Mr. FRENCH. Not to my own personal knowledge, but they unquestionably must have known of it.

Mr. HAWLEY. Did I understand you to say early in your statement that before the cattle came to Chicago three steers infected with the foot-and-mouth disease had passed through the stockyards?

Mr. HUDSON. I made that statement. That statement was made by Dr. Bennett before at least 75 people, that three steers with the foot-and-mouth disease had passed through the yards.

Mr. HAWLEY. Before?

Mr. HUDSON. Yes, sir.

Mr. HAWLEY. How long before?

Mr. HUDSON. The question was not asked as to how long, but whether there was any foot-and-mouth disease in the stockyards, and he made the answer that three steers had passed through the Union Stock Yards. Could you limit it to three with 85,000 animals a day?

Mr. HAUGEN. That was previous to the dairy show?

Mr. HUDSON. Yes, sir. I asked him whether there was any case of foot-and-mouth disease in the stock yards and that was his answer.

Mr. HAWLEY. You do not know how long that was before the show?

Mr. HUDSON. No, sir, I did not ask him that. I asked him whether there was any foot-and-mouth disease in the stockyards and he said that three steers had passed through. I asked him on the 28th or 29th of October. The meeting was on the 28th or 29th of October.

Mr. HAUGEN. What time did the dairy show begin?

Mr. HUDSON. On the 22d.

The CHAIRMAN. You made the inquiry seven days after the show opened?

Mr. HUDSON. After the meeting called when the quarantine was put on. We wanted to know whether the foot-and-mouth disease was there.

The CHAIRMAN. You had made no inquiry before that time?

Mr. HUDSON. How could we?

The CHAIRMAN. What prompted you to make the inquiry?

Mr. HUDSON. Putting the quarantine on.

Mr. MOSS. I should like to put in the record one other statement by Dr. Melvin in regard to quarantine:

The usual practice is, in case the disease is found, to quarantine the entire premises. The Federal Government, in the first instance, would quarantine the entire State, and the State people would quarantine the counties in the localities in which the disease is found.

Do you understand that to be the way the quarantine is carried on, that the Federal Government has no power other than to quarantine the entire State—there could be no interstate shipments—but that inside the boundaries it is purely a State affair?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. Have you an itemized statement of the claims?

Mr. FRENCH. We have not. This bill was offered by the breeders in Wisconsin, and our association had nothing to do in requesting it. We should not have come before you just at this time when you are so busy; we should have waited until the next Congress.

Mr. HAUGEN. What items should be paid by the Federal Government, in your opinion?

Mr. FRENCH. The expenses of the animals from the 29th day of October.

Mr. HAUGEN. The date of the quarantine?

Mr. FRENCH. Yes, sir; until the day the Government pronounces them free, the actual expense.

Mr. HAUGEN. Until the Government releases them?

Mr. FRENCH. Yes, sir.

The CHAIRMAN. That would include the matter of feed?

Mr. FRENCH. The matter of feed and rent that the Union Stock Yards charged and which we paid under protest. We had quite a tilt with them before they would accept payment under protest, thinking this matter would come up. That bill is simply outrageous.

Mr. HAUGEN. You include the expense of the new quarters?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. What do you estimate that to be?

Mr. FRENCH. Up to the present time the expense would be in the neighborhood of $130,000.

Mr. HAUGEN. Does that include the veterinarians employed privately by the association?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. You have one at $3,000 a month?

Mr. FRENCH. Our veterinarian is paid $50 a day.

Mr. HAUGEN. If the Government pursued the policy of slaughtering and paying beef value, what would be the expense to the Government?

Mr. FRENCH. At beef value?

Mr. HAUGEN. Yes, sir.

Mr. FRENCH. $35,000.

Mr. HAUGEN. There is a difference of $100,000.

Mr. FRENCH. Yes, sir. Let me tell you that if you go on the theory that you are eradicating the foot-and-mouth disease by paying beef value you will never do it, because the man who has valuable

cattle will not admit that they have the foot-and-mouth disease. With $500 or $600 cattle on his place he will not admit that they have the foot-and-mouth disease, and so you can not stamp it out by paying him $50.

Mr. Moss. How many cattle are quarantined?

Mr. FRENCH. Seven hundred and some odd.

Mr. Moss. I understand that having the disease once does not grant immunity?

Mr. FRENCH. I believe that is correct.

Mr. Moss. Suppose it should develop that you could not hold that many cattle together so that they would all become free of the disease so as to become released safely, how long should the Government maintain the herd there, paying the expense of that proposition?

Mr. FRENCH. My answer would be until the Government releases them.

Mr. Moss. Would you expect the Government to release them until the Government was fully satisfied that they could go back without danger of spreading the disease?

Mr. FRENCH. No, sir; I would not want that.

Mr. Moss. Would you expect the Government to treat them indefinitely or until the time should come when the owners would submit to slaughter, if they could not be reclaimed?

Mr. FRENCH. I should never submit to slaughter until I had been paid the just value of my animals, no matter what happened.

Mr. Moss. Would you expect the Government to take this herd of cattle and treat them differently from what they are treating thousands of other herds of cattle in the United States?

Mr. FRENCH. It is simply an economic question, whether it is cheaper to slaughter these cattle and pay $1,500,000, or go to work and save them by the expenditure of a couple of hundred thousand dollars.

Mr. Moss. I understand you to say that you would under no circumstances consent to the slaughter of your cattle except upon the payment of full value, whereas we know that there are hundreds of other herds of cattle that are being slaughtered without the payment of full value?

Mr. FRENCH. The fact that you have perpetrated a wrong on hundreds of other people is no reason why you should perpetrate a wrong on me.

Mr. REILLY. The veterinarian who urged the slaughter of the herd did it on the theory that you could not save them?

Mr. FRENCH. Yes, sir.

Mr. REILLY. That there was no cure for it?

Mr. FRENCH. Yes, sir.

Mr. REILLY. The veterinarian who advocated the saving of the herd did it on the theory that they could be cured?

Mr. FRENCH. Yes, sir.

Mr. ANDERSON. As I understand the situation, it is not claimed by any one that the foot-and-mouth disease is a particularly fatal disease. It is not a fatal disease in the ordinary sense at all. It is a very infectious disease, but many cattle have it and survive. As I understand, a very small proportion of the cattle who have it die. It is not an accurate statement to say that the disease is particularly fatal or that slaughtering is justified by the fact that it is a fatal

disease. In that connection I desire to read a statement by Dr. Melvin:

But, as I have said, the mortality is not high. The disease varies in virulence; some outbreaks are more virulent than others, but I would say that an average mortality would not be more than 3 or 5 per cent.

Mr. REILLY. At home they might have as favorable conditions for curing the disease as they had at Chicago?

Mr. FRENCH. Yes, sir; if we had had sunshine, but outside of sunshine there could not have been.

Mr. REILLY. And in the new place——

Mr. FRENCH (interposing). It is peculiarly located for the purpose for which we are carrying on the experiment.

Mr. HAUGEN. How many cattle are quarantined there?

Mr. FRENCH. Seven hundred and fifty head, in round numbers.

Mr. HAUGEN. Are they fat cattle?

Mr. FRENCH. They are dairy cows.

Mr. HAUGEN. And they are also fat?

Mr. FRENCH. Not really good ones are.

Mr. HAUGEN. I mean are they good cattle? About how much are they worth?

Mr. FRENCH. A fair valuation of them would be $1,500,000 for the herd.

Mr. HAUGEN. For beef value?

Mr. FRENCH. For beef value possibly $40 per head.

Mr. HAUGEN. How much would they be worth as dairy cattle, outside of the registration?

Mr. FRENCH. Two or three hundred dollars a head.

Mr. MOSS. Do you know of any country where there has been an outbreak of foot-and-mouth disease where they have cured it by treatment without slaughtering the animals, so as to eradicate the disease in the country?

Mr. FRENCH. No, sir.

Mr. HAUGEN. The value of 750 cattle at $200 a head would be $150,000, would it not?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. What I am trying to get at is whether it would cost the Federal Government more to pay this expense than it would have cost the Government to have slaughtered the cattle and indemnified the owners.

Mr. FRENCH. Not if they adhere to the present policy which they have lately modified. They used to pay nothing but the beef value, but finally they modified that so as to pay the dairy value of the cattle. Under those conditions, it would have cost them much more to have slaughtered the animals and paid for them as dairy animals than it would cost to carry on the experiment.

Mr. HAUGEN. I understood you to say they were worth two or three hundred dollars a head as dairy cattle?

Mr. FRENCH. Yes, sir.

Mr. HAUGEN. Do you mean with the registry?

Mr. FRENCH. No, sir, for their grade as milk producers.

Mr. MOSS. What is your conception as to the obligation of the General Government to deal with the foot-and-mouth disease, anyway?

Mr. FRENCH. I think the General Government should establish an absolute quarantine regardless of expense at the source of infec-

tion, and let the States do the rest of it. In my opinion, if they had adopted that policy at the start there would have been no foot-and-mouth disease in this country to-day.

Mr. Moss. That is assuming, however, the fact that the Government knew that or had knowledge of it at the source; but suppose the Government did not have knowledge of it at the source and the disease became scattered, then what would you do other than what you have already suggested?

Mr. FRENCH. They have not maintained an effective quarantine in any places where the Government has been in charge.

Mr. Moss. So it goes back to the theory that the General Government was not on its job at Niles, Mich.?

Mr. FRENCH. Unquestionably, that is true.

Mr. Moss. On what theory do you hold that the General Government should have detected the disease at Niles, Mich., rather than the State of Michigan?

Mr. FRENCH. The report was made to the General Government that there was a suspicious disease there, and they asked for some of the blood in order to determine whether it was the foot-and-mouth disease. Now, scientists in Germany and England have been trying to isolate that germ for the past 150 years, and have not succeeded in doing so, and I do not know how they figured that they could determine the disease from an examination of the blood.

Mr. Moss. You are contending here that when the Government does quarantine animals it ought to pay the entire expense of the treatment until the animal gets well and is turned back?

Mr. FRENCH. I have not made that proposition.

Mr. Moss. I think this does convey that proposition.

Mr. FRENCH. This is an exceptional case, and I say it is simply a question of economics. If it is desirable to save the animals in view of the circumstances, and if the surroundings are such that they can be saved and it is possible, and if there are enough of them to make it worth while to establish an effective quarantine, then, I say, it should be done.

Mr. ANDERSON. If I understand it, it is your position that this herd of cattle was an especially valuable herd, not only to the owners but to the people of the country generally, by reason of its character as a breeding herd, and that, consequently, the Government has an interest in the preservation of that herd, and that because of that interest the Government ought to pay the necessary expense of preserving it. Is that your position?

Mr. FRENCH. That is one argument; but it is cheaper to keep them than to slaughter them.

Mr. REILLY. Suppose the dairy show had convened there and about the last day, without any knowledge on the part of anyone, the foot-and-mouth disease had developed and affected the whole herd; then suppose the Government quarantined the herd and the whole bunch had died from the disease, what would be your judgment as to the duty and liability of the Government?

Mr. HELGESEN. You suggest an impossible case. The fact is that from only 3 to 5 per cent of them die.

Mr. REILLY. Then suppose they had to be slaughtered and were slaughtered justifiably.

Mr. FRENCH. They should pay us the price that those animals would bring when put on the block at public auction.

Mr. REILLY. And when they slaughter a farmer's herd of cattle, they ought to pay him?

Mr. FRENCH. Yes, sir.

Mr. REILLY. Then, you do not justify your claim against the Government because the Government officials failed to notify you in advance of shipping them to that fair that the cattle would be exposed to the foot-and-mouth disease?

Mr. FRENCH. If you had been ill treated you would not overlook anything that you thought might possibly help your side of the case, would you, even though it would not justify the full case?

Mr. REILLY. Do you feel that you have a claim against the Government on either one of those grounds?

Mr. HELGESEN. He might have it on both grounds.

Mr. REILLY. I do not think so. If the Government is obliged to pay every individual in this country the full value of his cattle because they have been affected with disease—a disease that they would have regardless of whether they were at Chicago or at home——

Mr. MOSS (interposing). As a matter of fact, the value of cattle depends largely on the reputation of the breeder—is that true?

Mr. FRENCH. No, sir.

Mr. HUDSON. It is the work of generations and generations. It goes back for hundreds of years.

Mr. MOSS. I want Mr. French's opinion upon that. I have always found it to be the case that when stock is offered for breeding purposes, the value of the animal is supposed to be enhanced if it has taken a first premium in Chicago, Indianapolis, or other places. For instance, I have been told with reference to a litter of puppies that two of them had been sold under contract and that they were to be trained and entered at a show, and if they won a premium it would make the whole litter worth a great deal more.

Mr. HAUGEN. Mr. French, you are familiar with the resolution passed by our legislature relative to the cost of feed and other things you have referred to in connection with the Chicago stockyards. Do you know of any advantage taken of shippers in the way of inordinate charges?

Mr. FRENCH. There were inordinate charges for rent.

Mr. HAUGEN. To what extent?

Mr. FRENCH. About five times the charge that was made against owners was made against the dairy association for the use of a building for the dairy show.

Mr. HAUGEN. How about feed?

Mr. FRENCH. They said that the charges for feed were the regular charges that they charged everybody.

Mr. HAUGEN. About how much were you charged at the time?

Mr. FRENCH. $40 per ton for hay, which they said was the regular price.

Mr. HAUGEN. Was that the ordinary price?

Mr. FRENCH. What do you mean by the ordinary price—the selling price at Chicago?

Mr. HAUGEN. I mean the regular price charged by the stock yards company?

Mr. FRENCH. The stockyards company charged $40 per ton for hay.

I would like to have Mr. Spann heard, as he desires to leave to-day. I will be here for two or three days and can have another opportunity later. I want this record cleared up, and I do not want any misun-

derstanding of it in any way. I want the matter made perfectly clear if it can be done, and if anything has been overlooked I hope it will be brought out in the course of the hearings.

The CHAIRMAN. In view of that statement, I think we had better hear Mr. Spann now, as he desires to leave.

STATEMENT OF MR. W. R. SPANN, OF SHELBYVILLE, KY.

Mr. SPANN. Mr. Chairman and gentlemen, I will not take up much of your time with this discussion. I am not going to make any charges against anybody, but I am going to give you a plain statement of the facts there as I know them.

Mr. REILLY. What is your business?

Mr. SPANN. I am a farmer.

Mr. REILLY. Have you any relation to this association? Are you an officer of it?

Mr. SPANN. I was an exhibitor of some cattle at Chicago. Gentlemen, I come to give you a statement of the facts which no one I think will gainsay here or anywhere else. I will state, first, why I think the United States Government should pay us for our expenses incurred in connection with this cattle show. It is now generally known that the foot-and-mouth disease developed first at Niles, Mich., and it is known, and not contradicted, that the Government experts went there or were sent some serum and they pronounced the disease stomatitis. Some one has asked whether the Government knew of this disease at Niles, Mich., and my answer is that if they did not know it was foot-and-mouth disease, they should have known it. They had every reason to know it and every opportunity to know it.

Mr. ANDERSON. How long do you think the Government would last if it were called upon to pay every time an officer of the Government makes an error?

Mr. SPANN. I suppose it would last as long as it has lasted.

We went to Chicago with our cattle, arriving there some time about the 21st to the 23d of October. We had no information whatever of the disease being over the country until after we arrived there. I personally certainly did not know it, but after I arrived there I heard that the disease was in Michigan. I noticed it then, as every one else noticed it when going into the barn—all of these cattle were in one large barn, and there were 719 head of them—as I say, everybody noticed, when going into the barn where these cattle were, a mat of shavings filled with disinfectant. I wondered myself at the time what that was for. Now those shavings filled with disinfectant were put there the day after the show started. Why were they put there? They were put there by the instructions and directions of Dr. Bennett, the Government veterinarian in charge at Chicago. Why did he have them put there? It was because he knew there was foot-and-mouth disease there in Niles, Mich., and that it had probably been scattered throughout the entire country. He was discussing that with Mr. Skinner and said that he did not think there was any danger, but was just taking that precaution.

Mr. REILLY. Who was Mr. Skinner?

Mr. SPANN. The secretary of the National Dairy Show at Chicago. Mr. Skinner talked with Mr. Bennett that day, and had talked with him two days before in reference to foot-and-mouth disease, and

asked him if he did not think it would be better to call it off, and he said, "No, I do not think there is any danger."

Mr. McLAUGHLIN. Did Mr. Skinner have any authority to call it off then?

Mr. SPANN. I do not know. The cattle were there, and we knew nothing about the existence of foot-and-mouth disease until the 29th of October. I remember particularly that on Thursday I talked with Mr. Skinner about it. I had a sale of cattle at my home on the 4th of November, and some of these cattle in the exhibition were in that sale, and I asked him if it would be possible to ship the cattle out the next day. He said, "No, we are going to have a meeting this evening; Dr. Bennett has come to me and says that he has a telegram from Dr. Melvin suggesting that these cattle be quarantined or kept here." He did not say "quarantined," but he said they were to be kept here for about a week or ten days for observation. I said, "What is the matter"? He said, "Well, they have found a case of foot-and-mouth disease and they say they will hold these cattle for observation." At 5.30 that afternoon Dr. Bennett, the Government veterinarian and Dr. Dyson, the State veterinarian, attended the meeting of exhibitors. Then Mr. Skinner stated that Dr. Melvin had advised that the cattle be held there for a week or ten days. Both Mr. Hudson and myself asked Dr. Bennett if there was any foot-and-mouth disease among the dairy cattle in that building and whether there were any suspicious cases in that building, and he said, "No, there is no foot-and-mouth disease in Chicago that we know of." Then, I said, "Why do you want to keep us here for a week or ten days"? He said, "The foot-and-mouth disease has passed through the yards out there."

Mr. McLAUGHLIN. Did you learn when that was?

Mr. SPANN. It passed through the yards on the 17th of October. That is when it passed through, but I did not know it then. I learned that afterwards. It passed through then, and they traced it back to that date when the disease developed elsewhere.

Mr. ANDERSON. You say the disease passed through the yards on the 17th of October?

Mr. SPANN. Yes, sir; and they traced the cattle that developed the disease.

Mr. ANDERSON. The question I am interested in at this point is when the Government veterinarian at Chicago found out that those cattle had passed through?

Mr. SPANN. I do not know anything about that.

Mr. McLAUGHLIN. It developed later that those steers had passed through the stockyards on the 17th of October, and that as a result of that the disease had developed elsewhere; now, where did it develop and when?

Mr. SPANN. I can not tell you.

Mr. McLAUGHLIN. It is a fact that at the time the cattle passed through the stockyards the authorities there did not know that they were affected with the foot-and-mouth disease, and they learned that only through the development of the disease later, and then by tracing the thing back they found that those cattle from which the disease originated had passed through the stockyards on that date?

Mr. SPANN. I do not know about that. They knew when we assembled in Chicago that the foot-and-mouth disease was in this country. Now, what precaution did they take about this matter?

They took none at all. I have told you what precaution they took. They did not take the precautions they take in regard to the importation of cattle. I have imported cattle. I sometimes import cattle from the Island of Jersey where the foot-and-mouth disease has never developed. The Island of Jersey is 80 miles off the shore of England, but whenever there is an outbreak of foot-and-mouth disease in England or anywhere in the United Kingdom, they quarantine us for three months from the Island of Jersey. Now, while they establish that quarantine, although they knew that this disease was at Niles, Mich., no steps were taken toward a quarantine. Not only that, but on the 28th of October they told us when we asked permission to take our cattle out that there was no disease there. We wanted to get our cattle away from the stockyards, and we begged them to let us take them out, but they said, "No, you will stay right here." What did the people in Kentucky do? The commissioner of agriculture of the State of Kentucky telegraphed to Dr. Melvin and offered to put these cattle in sealed cars and send them home in charge of a veterinarian. The cars were there in Chicago. They were parked out there, and the commissioner of agriculture said, "I will put them in the cars and take them to Kentucky and quarantine them at the State fair grounds." They said in answer to that offer, "No, they will stay right where they are."

Mr. ANDERSON. Suppose that had been done and the cattle had been quarantined at your State fair grounds, would you now be claiming that the Federal Government ought to pay the cost of that quarantine?

Mr. SPANN. Yes, sir; if they developed the disease. Let me tell you what they did: They refused to allow us to be about them, but on Friday, Saturday, Sunday, Monday, and Tuesday they allowed the Union Stock Yards to ship feeding cattle all over the country. They shipped them to Ohio, Iowa, and all over this country, and that is the way the disease was scattered. While they did that, they would not allow us to take our animals home where they would have been saved. That is why the Government ought to pay us. They took our cattle away from us, and said, "You shall not leave here." I sent a telegram to Dr. Melvin about it. I know he is a most estimable gentleman, but he is mistaken in this matter. I sent him a telegram and I begged him to allow me to take my cattle out. I said, "You will leave my cattle there until they become infected," and that is just what they did. There was no disease there at that time, but they held them in that building until they became infected. Therefore, I say they should pay us. If you do not do it, you destroy the breeding of good cattle in this country—that is what you would do.

There would be no encouragement to poor men to engage in this business. It is the poor man who is bringing up the breeds of cattle in this country. Very few rich men are doing it, and if they do, they take it up merely as a side issue. Now, if you do not give these poor men a return, they must go out of the business. Before this thing came up and before the spread of this disease all over this country, I had cattle on my farm worth $20,000. I could borrow $15,000 on them. I needed some money the other day, and wanted to borrow it on my cattle, but the bank would not let me have it. They say: "Your cattle are not an asset," but if they knew that the Government would pay us what these cattle are worth, we could

borrow money on them just as you can on cotton. That is why I say we ought to be paid for these cattle. The Government took the cattle away from us. They put us out of the building, and would not segragate the diseased cattle from the well cattle. We asked them to take the well cattle out and save them, but they would not do it. However, they did not quarantine against men. As you know, when a man has a lot of cattle affected with a disease, when his neighbors learn of it, they run down to see it. Now, they did not quarantine men from these diseased cattle, but they allowed them to go in and look at them. Now, why did they do that? It was because they wanted to kill them—that is the entire reason.

Now, gentlemen, it is not justice, and I do not believe that any one of these intelligent gentlemen here, if they will verify what I have said—and there is no question about the facts—there is not one of you who would deny us justice at the hands of the Government. Now, some gentlemen have been talking about what Dr. Melvin has said about the breeding value of cattle after having this disease. He speaks of some Duchess Shorthorns over in England. I know about that breed of cattle. They were shy breeders before they had the foot-and-mouth disease. This same herd of Duchess Shorthorns were rotten with tuberculosis, and that was the cause of shy breeding among those cattle.

Now, Dr. Melvin has said that only 3 per cent of cattle affected with foot-and-mouth disease die, but what the veterinarians out there said was, "Unless you let us kill these cattle, 30 per cent of them will die, and the rest of them will be of no account for breeding purposes." Now, what is the record? Out of the 719 head we cured every one of them. Not one of them died from the disease, and even the State veterinarian of Illinois who was striving every minute in every way he could to prevent the experiment from being a success—even he does not say that these cattle are not cured.

Gentlemen, they are absolutely well—every one of them. I was there last Tuesday looking them over, and I can tell you that I have got cattle at home that I thought perhaps had better get the foot-and-mouth disease. Those cattle are beautiful. Again, they said that these cattle would not breed, but they are being served by the bulls right there and are breeding right along. Then they say that the calves would die, but some 30 calves have been dropped there since they had the foot-and-mouth disease, and they are as fine a lot of calves as you ever saw. They said furthermore that it would destroy their value for dairy purposes, but I know that within 10 days after a cow had the disease she was yielding 70 pounds of milk per day, and Mr. French has a cow that is possibly giving 80 pounds of milk a day.

Mr. ANDERSON. Of course, there were hundreds of farmers, I take it, all over the United States whose places were quarantined and who were prevented by Federal quarantine from getting their cattle to market, and of course all of those farmers would suffer some loss. Now, would you differentiate between a farmer who might sustain a loss of that kind and a man who suffers a loss like this?

Mr. SPANN. I certainly do. I am one of those same farmers, and I have sold cattle that are still on my farm. I have 30 or 40 head of cattle on my farm that I sold on November 3, and I am feeding them yet.

Mr. ANDERSON. Are they quarantined?

Mr. SPANN. They are quarantined from the States they are to go into. Now, as I have said, the Government took these cattle away from us when they did not have any disease, and when the disease was not within a half mile of them. We wanted to take them away in sealed cars in charge of a veterinarian, but they would not allow us to do it. Therefore, I claim that they infected our cattle.

Mr. HAWLEY. What is your theory as to how your cattle became infected?

Mr. SPANN. From people coming into that building from the stockyards. The first cow that took the disease was a Holstein cow, and it was several days before any other cow took it. If they had allowed us to take the other cattle out they would not have had the foot-and-mouth disease.

Mr. HOWELL. Who were those persons who came in there?

Mr. SPANN. We did not know.

Mr. HUDSON. There were hundreds of employees.

Mr. REILLY. How long was it after the show closed before the first cow had the disease?

Mr. SPANN. I think it was on Tuesday, and the show closed on Thursday night.

Mr. HAWLEY. You say that the disease was brought into this barn by people coming in through the stockyards?

Mr. SPANN. Yes, sir.

Mr. HAWLEY. What has the Government done toward cleaning up those stockyards to prevent the disease from being carried to other herds in other places?

Mr. SPANN. I do not know what was done in Chicago. I do not like to make this statement I am about to make, because I said in the beginning that I would not make any charges against anybody, but this is positively known to be a fact. At the Bourbon stockyards, at Louisville, Ky., 26 miles from my home, they ordered them to clean up the yards after the first outbreak. They told them to clean up the stockyards, and they cleaned them up. Now, what did they do?

To save them the little expense of destroying that trash and manure from the barns the United States Government veterinarians, under whose charge the clean-up was made, allowed them to pile that manure up into a pile as big as a big house, and allowed those farmers that did not have any better sense to come there and haul that manure away and scatter it all over Jefferson County—and they have had an epidemic of foot-and-mouth disease in Jefferson County ever since.

Gentlemen, I do not believe you can quarantine the farms the way the regulations are now enforced. Here is your source of infection [indicating]; and you quarantine 5 miles around that. Everything outside of that 5-mile limit is kept out; but everything inside can move around all right; you have not quarantined 5 miles; you have not quarantined 5 feet, because these people with infected cattle can come right up to that line.

Dr. RAMSAY. The territory up to that 5-mile limit is quarantined, but not close quarantine. Please discriminate between one kind of quarantine and the other.

Mr. SPANN. You speak of a close quarantine; what is your idea of a close quarantine?

Dr. RAMSAY. Allowing nothing at all to move out.

Mr. SPANN. What is to prevent them from moving out? That is just a statement. You can not quarantine them that way.

only quarantine you can make that will be effective is to quarantine the farm where the disease is, and put your guards there with shotguns to prevent anything going in or out. That is the only quarantine that will eliminate foot-and-mouth disease.

Mr. Moss. You said that the Government permitted this manure to which you referred to be hauled out and distributed; was it the United States Department of Agriculture or the State of Kentucky that did that?

Mr. SPANN. The papers every day stated that this was a Government quarantine and S. L. Bond was the Government man in charge.

Mr. Moss. Your statement, then, is that the United States Department of Agriculture permitted that manure to be taken out of the Bourbon Stock Yards and scattered all over Jefferson County?

Mr. SPANN. Well, my belief is that the State officials were just as much to blame.

Mr. Moss. But, for the benefit of the record, we would like to know who it was that permitted that to be done. Was it the United States Department of Agriculture or was it the State of Kentucky? That is what we would like to know.

Mr. SPANN. Well, every State is under the domination of the United States Government in this matter—and rightly so—because the United States Government says to them, "If you do not do this thing, or that thing, we can not pay your people for their cattle." Under those conditions what are the States going to do? Just as the Government tells them to do. It is just as when you go to the Union Stock Yards at Chicago and tell them to do certain things; they do just as you say, whether you have the authority or not.

Mr. Moss. Well, we just want to get the facts, so I should like to ask one or two more questions about this.

Mr. SPANN. Go ahead.

Mr. Moss. Are we to understand from you that the quarantine measures taken at the stock yards at Indianapolis and the Bourbon Stock Yards in Kentucky were taken under the United States authority and not under the State authority?

Mr. SPANN. They act jointly; and that can be proved.

Mr. Moss. There was a quarantine laid on the whole of the Union Stock Yards at Chicago; and as long as that quarantine was in force, not any cattle could be shipped out; is that correct?

Mr. SPANN. The papers said there was a quarantine there, but cattle were shipped out on Friday the 30th, Saturday the 31st, Monday the 1st, and Tuesday the 2d.

Mr. Moss. And the stockyards were under quarantine at that time?

Mr. SPANN. The papers said so; I do not know.

Mr. Moss. It is quite a different question as to what the papers stated and what was the fact——

Mr. SPANN (interposing). That is what I say. We were quarantined at that time, and they would not let us out of there.

Mr. Moss. I am not disputing that statement, but the point I want to make is this: The broad statement has been made that the Union Stock Yards could ship cattle out at that time, but that the farmers could not do so. What I want to obtain for the record is this: Is it a fact that there was a quarantine laid upon the Chicago stockyards, and yet while that quarantine was in effect they permitted cattle to go out of the stockyards to be shipped in interstate commerce?

Mr. SPANN. You want to know if the farmer could not do what the stockyards were doing, and I say that is the fact; the stockyards shipped out on Friday, Saturday, Monday and Tuesday, and yet we could not do so.

Mr. Moss. But what I want to know is were the stockyards under quarantine at that time?

Mr. SPANN. The papers said so.

Mr. HELGESEN. If they were quarantined, why were they not quarantined by the same people?

Mr. SPANN. I know that they were shipped out of the stockyards and we could not ship.

Mr. LESHER. They could not ship them out for anything except immediate slaughter.

Mr. SPANN. Yes; they were shipping cattle. There was a farmer who shipped on Wednesday, and on Friday and Saturday they all broke out with the disease.

Mr. HAWLEY. That is, the farmer's cattle, do you mean?

Mr. SPANN. No; but he knew of it of his own personal knowledge.

Now, about Chicago, something was said about whether we agreed to pay the expenses of moving cattle out from Chicago and whether we did it of our own volition. We moved them because we were trying to save the cattle, and that was one of the means insisted on by them for the saving of the cattle. The cattle were infected from about the 2d or 3d of November until the 12th of December, when the last of them got well. We cured them all; they were in fine condition. We told the Government officers that we wanted to save those cattle, and that we would do anything they said; that we did not want them to be carriers of this disease.

Now, Dr. Melvin, who gets his data from Germany, I believe, says that in 1872, I think it was, some bull had the disease somewhere in Europe, and that seven or eight months afterwards cattle that had been in contact with the bull developed the disease. But that was over in a country where they have foot-and-mouth disease and everything else, and it can not have come from that bull.

They have never shown a case yet where cattle have been treated as ours have been treated that had the disease. From the 12th of December until the 9th of January we kept them there. We have this Hawthorne race track for them. And we said to the officials, "Gentlemen, we are ready to do anything further that you suggest. We think it is a good plan to move these cattle from the original source of infection." We were permitted by the Government to do that. We had not only to get permission of the Government, but we had to get permission of the State of Illinois; and we moved those cattle to Hawthorne under the supervision of the State veterinarian at Chicago. And this was the modus operandi:

We scraped their horns and hoofs, and led them into a long vat shaped somewhat like this table, filled with disinfectants over the fetlocks of the cattle—I do not know that all of you know what fetlocks are, but it means up above the ankles. And then we put men dressed in rubber clothes in those vats, and they took brushes and scrubbed those cattle all over their heads and horns, inside their mouths, and all over, including their tails; and then they led the cattle into a steaming hot room, where they were rubbed by other men similarly protected; and then they were put into those disinfected

cars and taken out to Hawthorne race track. They have been there ever since. They are in perfect condition. They have dropped 30 calves, and only some 75 per cent of the cattle lost them.

We notified the Government some time ago that the cattle were well and that we were ready for any further experiments. The suggestion was made by them that after these cattle were well, we introduce beef cattle, or common cattle, among them, and see if these cattle would infect those other cattle, which we agreed to. They did not say that they would pay the expenses or that we would pay; but as a matter of fact, we paid.

Now those Government veterinarians after saying to us, "This is the most infectious disease in the world; diseased cattle will carry the disease to such an extent that if there is one infected cow in a herd of 700 animals it will infect the whole herd"—after saying that, we asked them, "How much do you want?" They said, "400 head," although one cow would carry the disease. We argued with them and finally we got them to agree to take 50 head.

So we brought the 50 head of cattle in. These cattle stood in rows all along the building. We brought these cattle in; and I had 17 head among them; and they allowed me two head for those 17.

The next day I had them put in the same box with the common cattle and fed out of the same trough, and I took the saliva out of our cattle's mouths and put it into the mouths of these other cattle to try to give them the disease. And then we said to the Government men, "We will do anything further you want. We do not want these cattle if they will transmit the disease." And after that they are going to take the blood from our cattle and inject it into these others.

Mr. HAWLEY. How long have your cattle been with those others?

Mr. SPANN. About a week now. When those cattle were brought there we kept them separate from the others for a week or ten days.

Mr. HAWLEY. I would like to inquire about a statement you made a while ago. I understood you to say that on a certain date you were ousted from the possession of your cattle by the Government authorities?

Mr. SPANN. Yes.

Mr. HAWLEY. The owners?

Mr. SPANN. Yes.

Mr. HAWLEY. And your attendants?

Mr. SPANN. No; they kept those inside who were inside; those who were outside they would not let in.

Mr. HAWLEY. What time did they take possession of the cattle and what time did they return them?

Mr. SPANN. On the day they said that we could not have them and said they could not stay there; but they actually locked the barns on the 30th.

Mr. LESHER. They allowed you to remove them January 9?

Mr. SPANN. They removed them; the State of Illinois and the Government jointly took them; and we washed them and treated them and moved them to Hawthorn, and they are there now. When I went into their stables I took off my outer clothes and put rubber clothes on.

Mr. HAWLEY. How long were the owners ousted of the possession?

Mr. SPANN. Right up to this present time.

Mr. HAWLEY. I mean so that you could not go back and look at them?

Mr. SPANN. Up to the time Dr. Houston issued permission.

Mr. HAWLEY. Does that cover the period that the animals were sick?

Mr. SPANN. No; we were allowed to go in when they were sick, but we could not say a word about their handling; I could not treat a cow.

Mr. HAWLEY. You would go in just as a visitor, would you?

Mr. SPANN. I can not treat a cow for ringworm; I can not give it a dose of iodine.

Mr. ANDERSON. What do you understand to be the period of incubation?

Mr. Moss. Mr. Chairman, I seriously object to the closing of this record at this time. This question is quite important; and these people who have appeared here ought to be able to bring in facts before the committee; and I object to the hearing being concluded until the Bureau of Animal Industry representatives come before this committee and we hear both sides of this question. I shall very seriously object to the closing of the record now; and I would like for them to appear if there is to be any washing of dirty linen.

Mr. LESHER. I would like to say that these gentlemen in carrying on these experiments have been performing a great service for the Government, and I think the Government owes them some money for their expenses and losses in showing that they can take care of and save these cattle without slaughtering them to eradicate the disease.

Mr. SPANN. That is the position we have taken. The veterinarians have been opposing us every day. It is worth what it costs. I do not favor quarantine and saving cattle on the farm, because it is impracticable. But we have these cattle all in one building; and it is an exceptional opportunity, which the Government ought to be able to grasp, to carry on the experiment; and we ought to have the protection of the Government so as to free us from this burden. It has been a heavy load for us. I myself have been compelled to borrow money, and sometimes have had to help out some of the other owners to carry the cattle along.

Mr. Moss. I am sure everybody will sympathize with the misfortunes of yourself and associates.

Mr. SPANN. And I ask you if my statement is correct, do you not see that we deserve payment from the Government, which took our cattle and would not let us have them?

Mr. Moss. I will not express any opinion; but I will ask you this question: Is it not a fact that thousands of people have lost money on account of foot-and-mouth disease, on account of indirect damages?

Mr. SPANN. I have also suffered indirect damages; but I do not ask pay for that. This is not a case of indirect damages; it is absolutely direct damages; because the Government took the cattle away from us. That is all we ask.

Mr. Moss. Since you bring up the question, I may say that I know of a county in my district that has not had a single case of foot-and-mouth disease; and yet it has been under quarantine, part of the time

absolutely and part of the time for immediate slaughter. Now, there is a case not only of great inconvenience but of absolute loss.

Mr. SPANN. We are in the same fix right in our own county; and we are willing to stand that. But the gentlemen took those cattle away from us, and they ought to pay for them.

Mr. HELGESEN. Is it not the fact that if the Government had killed the cattle they would have paid for them, and it would have cost the Government more?

Mr. SPANN. Do you mean to say that the Government can take my cattle worth $500 and pay me $75 for them and kill them? Why did we not try to get out an injunction? They came to us on their knees at that time, and said, "Do not get out an injunction, because you would cause us trouble by doing that"; and they said, "All you will have to do is to go to Washington." And they can not kill our cattle without paying for them. Mr. Moss as a lawyer knows that.

Mr. MOSS. If your information about the foot-and-mouth disease is not any more accurate than my information about my profession, I am sure it is not worth much. [Laughter.]

Mr. SPANN. My information about foot-and-mouth disease is worth more than the Government bulletins, because I have had the practical experience and know about it, and they do not. Those 43 Guernseys from the island of Guernsey were infected on the ship; they were brought here and quarantined. They all got well; they were sold at public auction, and went all over this country; and they did not carry a single disease to any cow; and they are the progenitors of the greatest cow in the country to-day.

Mr. MOSS. I did not mean any offense. You spoke on one subject which you knew about, and then on another that you did not know anything about. [Laughter.]

Mr. SPANN. All right. Gentlemen, I thank you all.

Mr. HUDSON. Mr. Chairman, I should like a minute to tell the committee about an experience some one had at the Bureau of Animal Industry only a few weeks ago. A gentleman was attending there, and Dr. Melvin was present; and he called somebody up on the telephone and said, "Don't you think we had better send an inspector to look after that case of foot-and-mouth disease reported last Thursday?" This was Monday, and they had not sent an inspector there; and Dr. Melvin knew it. That shows the carelessness of that department.

STATEMENT OF MR. E. T. GILL, OF HADDONFIELD, N. J.

The CHAIRMAN. Mr. Gill, we will ask you to make your statement as brief as you can.

Mr. GILL. Yes, sir. Much that I might say has been said already; and what I will say will probably only indorse what has been said before. I am a member of the executive committee of the American Guernsey Cattle Club.

Mr. HAWLEY. Were you exhibiting at Chicago?

Mr. GILL. I was not exhibiting at Chicago; but I was there. I saw these shavings that were disinfected; and I also know that the Guernsey breeders in our association had no notification whatever of any foot-and-mouth disease in the stockyards or at Chicago.

I think it was on Thursday of the week of the exhibit that a rumor went around that they had foot-and-mouth disease in the stockyards; I can not tell where I heard it. But it was sufficiently impressive to cause me to decline an invitation to look at a lot of horses in the stockyards that were to be shipped to England; and when I went home I quarantined my own stables. Now, as to anything more regarding the stockyards——

Mr. HAWLEY (interposing). You quarantined your own stables where—in Maryland?

Mr. GILL. In New Jersey.

Mr. HAWLEY. In New Jersey?

Mr. GILL. Yes; because I am impressed with the danger of this disease, having known something of it in Europe.

Now I feel, as the gentleman who spoke this morning has so well expressed, that these men should be compensated for their cattle. They have performed a great experiment. Whether it will pan out all right I do not know. Personally, I am on the fence. I am "in the soup" myself and do not know what to do. I have over 100 head of cattle which are infected right now, so of course I am interested.

But whatever you do in the fight against the foot-and-mouth disease must be done quickly, and you must realize the great importance to every citizen of the United States of putting down this disease. If it is not eradicated in this country within six months the Lord help you. You—and by that I mean not the breeder, but you people who eat meat and you people who drink milk and eat butter—are the ones to whom this is a vital question. The cost of living will go up if this disease is not eradicated immediately, as is known in Europe. They can not eradicate the disease there; it has obtained too good a foothold. The expense in some of the European countries is as high as $20—it ranges from $7.50 to $20 each year—on every animal in the country, simply to keep in subjection the foot-and-mouth disease. There is an expense which in this country to-day would be about $1 a head. I do not know how many million cattle we have here.

Mr. HUDSON. About 60,000,000.

Mr. GILL. Then if this country to-day should spend $60,000,000, which is $1 a head for the cattle in the country, it would be as economical a proposition as has ever been undertaken by the Congress at Washington.

Now, the question of valuation does not seem to be understood by the general citizen. The value of the cow or steer is the meat; he thinks of that or the amount of milk the cow will produce as the basis of value. But that is not the only value of an animal. The great value of an animal—of a high-type, pure-bred animal—is derived from generations of the same characteristics, with the power to reproduce, the power of prepotency; that is what makes a cow valuable. When you go to Mr. Hudson or some other breeder and give him $1,000 for a little bull calf, what is the value of that calf, and how much interest does it represent? Perhaps this is all known to you; but I simply want to impress upon you the facts, because I am "in the soup," and I want to say that the breeders of America pay the bill. I do not know that I personally will pay, because any laws that might hereafter be passed by the Government, or by our State, will probably be too late for me, because I expect to kill all my animals.

I suppose you all know now how dangerous and infectious this disease is as a quarantine proposition. I quarantined my stables. Suppose the Government should put a notice on every farm, every stable, in big letters, "Quarantined." I put three notices up on my place: and yet an official came right on my farm; and yet he had no authority. He entered the farm gate and passed the office and never stopped or looked. He put his hand on the door and entered the stable, and there was another notice—well, that is not exactly a matter for you; it only shows the great necessity of quarantine—and sometimes the most dangerous people that visit a stable are the officials who go around looking for trouble and inspecting—unless they are very careful men.

Now, I think that one of the most dangerous sources of infection of cattle of all breeds—and this means every cloven-footed animal; you will lose your goats and your sheep and your pigs; I have got pigs with it—is the fact that the beef cattle are allowed to be transported over the country for immediate slaughter. "Immediate slaughter" means very little as a matter of fact. I know of one instance in New Jersey where a carload of beef cattle were being shipped in the southern part of the State; and there was a fine Holstein bull in the car; and a farmer offered the shipper a little more for the bull than it was worth for beef, because it was such a fine bull; and the man sold it to the farmer—and I think that was our first experience of foot-and-mouth disease in New Jersey.

Mr. HAWLEY. Do you mean that the bull had foot-and-mouth disease?

Mr. GILL. He developed the disease. I know of another case where a cow and a heifer were going down a road. A bull came out of a stable alongside the road and went up to them; and the cows had not been condemned; no one knew that they had foot-and-mouth disease. And yet before long they had to destroy that entire herd. That shows how easy it is to convey the disease. I have had my men take every precaution, wearing rubber overshoes, and so on, and yet the cattle got it from them.

Mr. MOSS. Those characteristics of the disease that you have just been mentioning, which I am sorry to say I believe to be true, as to the ease with which it is transmitted, go a very long way toward justifying the Government in maintaining a quarantine around infected centers, do they not?

Mr. GILL. Oh, I believe in that.

Mr. HUDSON. How about shipments of hay between various States all over the country?

Mr. GILL. Yes, and feed bags.

Mr. HUDSON. Anything.

Mr. GILL. Those things are allowed to go backward and forward to and from the farmer; that is one of the ways the disease is transmitted.

Mr. HELGESEN. But the same conditions which you have described would make it absolutely unjustifiable for the Government to quarantine against shipments of cattle out of a yard, where the yard is open so that the cattle can come in contact with everything that comes and goes, would they not?

Mr. GILL. Yes; if the whole thing is not shut up the quarantine is no good. I will not have any more cattle until I feel that the Gov-

ernment is taking more precautions and putting more money into the fight. If you do not pay the breeders of pure-bred cattle in the same proportion as you pay the man with the common cows—the "57 varieties" of cows—you are not doing your duty. A man with a common cow gets $50 when it is killed; a man with a pure-bred cow gets $50, and in some of the States, as in my own, he gets $75—for a cow worth thousands of dollars; and of course he is at a dead loss. You discourage the man who is breeding pure-bred animals and advance the interests of those owning inferior animals—not only cows but all cloven-foot animals. You discourage the breeder of pure-bred animals by paying him nothing, and yet you expect to condemn his cattle and to kill them, not for his own benefit alone but for the benefit of the State; and not for the breeders of the State alone but for the benefit of every citizen of the State. And that is what I want to see—the proper compensation paid to the breeders of pure-bred animals.

(Thereupon, at 12.35 p. m., the committee went into executive session, after which it adjourned until to-morrow, Friday, February 26, 1915, at 10 o'clock a. m.)

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Friday, February 26, 1915.

The committee met at 10 o'clock a. m., Hon. A. F. Lever (chairman) presiding.

The CHAIRMAN. The committee will come to order. Col. French, Mr. Moss desires to ask you a few more questions, if you will take the stand for a few moments.

STATEMENT OF MR. G. WATSON FRENCH—Continued.

Mr. Moss. Col. French, I want to ask you a few questions in order to clear up our own understanding about this matter. Now, there was a committee that came over to Washington representing the owners of the cattle, was there not, to make their complaint to Secretary Houston?

Mr. FRENCH. Yes, sir.

Mr. Moss. Were you a member of that committee?

Mr. FRENCH. Yes, sir; I was.

Mr. Moss. How many members were there of that committee?

Mr. FRENCH. There were six or eight members.

Mr. Moss. Was this a self-appointed committee, or did it come here with the consent of the owners of the cattle?

Mr. FRENCH. It came over with the consent of the owners' association, but whether all of the owners agreed to it or not I am unable to state.

Mr. Moss. So they were really representing the association at that time?

Mr. FRENCH. Yes, sir.

Mr. Moss. Did you then have a consultation with Secretary Houston?

Mr. FRENCH. Yes, sir.

Mr. Moss. Did you have a consultation with Dr. Melvin?

Mr. FRENCH. Yes, sir.

Mr. Moss. Now, was there any other person present when you consulted with Dr. Melvin?

Mr. FRENCH. Yes, sir.

Mr. Moss. Who else was there?

Mr. FRENCH. There were six or eight members of our committee, Dr. Mohler, and possibly some other veterinarians connected with the department.

Mr. Moss. Now, at this consultation you had with Dr. Melvin, Dr. Mohler being present, was there any proposal made or any discussion had as to the expense connected with the treatment of these cattle and who was to bear it?

Mr. FRENCH. Not that I can recall.

Mr. Moss. You do not recall that there was any statement made on behalf of your committee to the Government to the effect that if the Government would permit these cattle to be moved to a new location the owners would bear the expense of treating them?

Mr. FRENCH. Not that I recall; but I will say, however, that if the Government had insisted upon that we would have agreed to it. We were in a position where we would have been obliged to agree to anything that the Government insisted upon in order to save our cattle.

Mr. Moss. I was not particularly interested as to the conditions to which you would agree, but I am interested in knowing what understanding was reached at that time. Now, you have no recollection of having reached that understanding with the Government?

Mr. FRENCH. No, sir.

Mr. Moss. Now, this dairy show was for exhibition purposes?

Mr. FRENCH. Yes, sir.

Mr. Moss. Was there also the purpose of selling some of the cattle?

Mr. FRENCH At all dairy shows the owners hope, in addition to securing premiums, that they can induce more or less sales.

Mr. Moss. There was to be a public sale connected with the show, was there not?

Mr. FRENCH. I believe there was, though I was not interested in that.

Mr. Moss. As a matter of fact, was there not a sale held?

Mr. FRENCH. There was.

Mr. Moss. What class of cattle was offered at that sale?

Mr. FRENCH. My recollection is that Jerseys were offered.

Mr. Moss. Do you know how many head were sold?

Mr. FRENCH. No, sir; I do not.

Mr. Moss. Do you know about the average price obtained?

Mr. FRENCH. No, sir; they were sent especially for sale and not for exhibition.

Mr. Moss. There was also to be a sale of Holstein cattle, was there not?

Mr. FRENCH. I think not; I was unaware of it.

Mr. Moss. You do not know whether there was to be a Holstein sale or not?

Mr. FRENCH. I do not.

Mr. MCLAUGHLIN. You are a Holstein breeder, are you not?

Mr. FRENCH. Yes, sir.

Mr. MOSS. The only purpose I had was to get at the average price of the cattle sold. Now, there is one other question I want to ask: When was the show to have closed regularly?

Mr. FRENCH. I believe it was to have run from the 24th to the 30th, according to the advertisements, or it may have been to the 31st.

Mr. MOSS. Do you recollect on what date it was that the order for the detention of your cattle was issued?

Mr. FRENCH. I do not know when the order of detention was issued by the department, but we were told on Thursday, the 29th of October, that we could not remove our cattle.

Mr. MOSS. On the 29th of October?

Mr. FRENCH. Yes, sir.

Mr. MOSS. Did you understand that your cattle were in quarantine or that they were being held there for observation purposes after the 29th of October?

Mr. FRENCH. We knew that the cattle were not in our possession and that they had been seized. They said that they were being held for observation, but whether that was true or not we had no means of knowing.

Mr. MOSS. The statement I understood to be made here was that on the 28th, 29th, and 30th, those being the three days you have referred to, feeders were shipped out of the stockyards, when your cattle could not go?

Mr. FRENCH. The 29th, 30th, 31st, 2d, and 3d.

Mr. MOSS. Do I understand you to say that feeders were shipped out of the Chicago stockyards on the 2d and 3d days of November?

Mr. FRENCH. Yes, sir.

Mr. MOSS. That is what I would like to know. Do you know that of your own personal knowledge?

Mr. FRENCH. That was the statement of some of the dairy show owners who knew it of their own personal knowledge.

Mr. MOSS. But you yourself did not investigate to know whether it was true or not?

Mr. FRENCH. Yes, sir; that is true.

Mr. MOSS. And you are giving us the best of your information?

Mr. FRENCH. Yes, sir.

The CHAIRMAN. Do you recollect the names of the parties who gave you that information?

Mr. FRENCH. No, sir; but I can procure the names, and I think I can get affidavits to that here by Monday certainly.

UNION STOCK YARDS, ILL., *February 27, 1915.*

Col. G. WATSON FRENCH.
New Willard Hotel. Washington, D. C.:

Kiplinger. Rushville, Ind., and Connell, Fayette, Ohio, made the statement regarding movement of feeders from Chicago to their country. Have wired them to send you affidavits. Many shipments were rushed out 28th. 29th. 30th October to other yards for distribution into country from such yards, but find quarantine was on here 31st. Have wired Amos to send telegram.

W. E. SKINNER.

Mr. SPANN. You knew a gentleman from Ohio, a Holstein breeder there——

Mr. FRENCH (interposing). I do not recollect the names at this moment, and I do not want to clutter up the record with

correct statements. I have no desire to mislead you gentlemen in any way.

Mr. Moss. I would like to ask Mr. French and this other gentleman to substantiate with further evidence the statement that after the 31st of October any feeders were shipped out of the Chicago yards. I have here an official order issued by the Department of Agriculture that was effective on and after October 31, 1914, which prohibited such a shipment. Here is an official order, which I shall place in the record at this point, made effective on and after October 31, 1914.

(The order referred to is as follows:)

[B. A. I. Order 226. United States Department of Agriculture, Bureau of Animal Industry.]

B. A. I. ORDER 226—TO PREVENT THE SPREAD OF FOOT-AND-MOUTH DISEASE IN CATTLE, SHEEP, OTHER RUMINANTS, AND SWINE. EFFECTIVE ON AND AFTER OCTOBER 31. 1914.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY.

The fact has been determined by the Secretary of Agriculture and notice is hereby given that the virus of a contagious, communicable disease known as foot-and-mouth disease exists in the Union Stock Yards, in the city of Chicago, State of Illinois.

Now, therefore, I, C. F. Marvin, Acting Secretary of Agriculture, under authority conferred by section 2 of the act of Congress approved February 2, 1903 (32 Stat., 791), do hereby order that no cattle, sheep, other ruminants, or swine shall be transported, driven on foot, or otherwise moved in interstate or foreign commerce from the area hereinbefore mentioned except for immediate slaughter in cars placarded "For immediate slaughter," and under billing so marked, and only when accompanied by a permit issued by an inspector of the Bureau of Animal Industry, and no hay, straw, or similar fodder, or manure or litter shall be transported or otherwise moved in interstate or foreign commerce from the area hereinbefore mentioned unless the same be disinfected prior to shipment under the supervision of an inspector of the Bureau of Animal Industry, and accompanied by a permit from such inspector.

No railroad cars within the stockyards hereinbefore mentioned which have carried live stock shall be moved in interstate or foreign commerce until the said cars have been cleaned and disinfected with a 5 per cent solution of carbolic acid or a 3 per cent solution of cresol compound, U. S. P.

When shipments by rail of cattle, sheep, or other ruminants, and swine, for immediate slaughter, are made from points in the stockyards hereinbefore mentioned, the cars containing them shall be sealed under the supervision of an employee of the Bureau of Animal Industry before the said cars shall be allowed to leave the stockyards hereinbefore mentioned.

When shipments by rail of cattle, sheep, and other ruminants, and swine for stocking, feeding, or dairy purposes, are made from and to points not included in the stockyards hereinbefore mentioned, the said shipments shall not be unloaded within the said stockyards except through cleaned and disinfected docks and alleyways into cleaned and disinfected pens, under the supervision of an employee of the Bureau of Animal Industry. When reloaded, the stock shall be loaded into cleaned and disinfected cars, and the cars shall be sealed under the supervision of an employee of the Bureau of Animal Industry.

No shipments shall be unloaded en route or at destination outside the stockyards, hereinbefore mentioned, except into reserved pens, which have been designated and approved for that purpose by the Chief of the Bureau of Animal Industry. When such shipments are unloaded en route, as hereinbefore provided, the cars shall, after reloading, be again sealed under the supervision of an employee of the Bureau of Animal Industry, it being the purpose and intent of this provision that cars containing such shipments shall remain sealed until the animals arrive at the place of destination.

This order, for the purpose of identification, is designated as B. A. I. Order 226, and will be effective on and after October 31, 1914.

This order is subject to amendment or revision on statutory notice.

Done at Washington this 31st day of October, 1914.

Witness my hand and the seal of the Department of Agriculture.

[SEAL.]

C. F. MARVIN,
Acting Secretary of Agriculture.

Now, if these gentlemen have any evidence that this order was violated or that the Government permitted any violation of it, I feel that they ought to be called upon to produce the information. That is all I want to ask.

Mr. HELGESEN. Col. French, Mr. Moss asked you about the sale of some cattle made at the time of this show, evidently for the purpose of establishing the value of the cattle that were not sold. Now, in your opinion, do you think that the price paid for the cattle sold was any criterion by which to judge the value of the cattle not sold?

Mr. FRENCH. Absolutely none. The sales that were held there were of what is known technically in the trade as cull sales. A certain number of cheaper animals are put up at those sales to be knocked down to the highest bidder. No first-class sale is ever held at a dairy show.

Mr. Moss. I had another purpose in view besides determining the value of the cattle. If the cattle were there to be sold at public sale, then it meant the dispersal of the cattle sold to all parts of the United States; it would show that they were to be widely scattered and would not simply go back to the owners of the animals at the dairy show, and therefore it meant that the cattle would be sent over a great many sections of the country.

Mr. HELGESEN. If that is the object of it, then the herds that you did not offer for sale were not to be shipped except back to the places from which they came?

Mr. FRENCH. Yes, sir; that is true.

Mr. HELGESEN. And when they refused to allow you to take these cattle out it was not for the purpose of preventing them from being scattered all over the country, but for the purpose of preventing them from going back to the places from which they came?

Mr. Moss. Of course these cattle being offered for sale were subject to inspection by anybody who wanted to see them?

Mr. FRENCH. Yes, sir.

Mr. Moss. And, as a matter of fact, the whole herd of exhibition cattle were being constantly inspected by the public passing back and forth through them?

Mr. FRENCH. Yes, sir.

Mr. Moss. And to that extent they were exposed as much as cattle could be exposed to the visitors seeing them?

Mr. FRENCH. Yes, sir.

Mr. MCLAUGHLIN. Do you know whether any cattle sold in the way you speak of were removed from the building and shipped to purchasers?

Mr. FRENCH. None that I know of.

Mr. HELGESEN. Were the sales held at the same place as the show?

Mr. FRENCH. Yes, sir.

The CHAIRMAN. Are there any other questions?

Mr. SPANN. May I ask Mr. Moss a question? Mr. Moss asked Mr. French whether after these cattle were sold they would be scattered all over the country, or he stated that was the purpose of his question, and then he asked us to give evidence in support of our statements about the shipment of cattle from the stockyards. Now, I would like to ask him if he has any evidence that, if these cattle had been shipped out, they would have been more widely distributed than the cattle on exhibition if they had been allowed to go home?

Mr. Moss. I object to being placed in the attitude of taking sides on this proposition.

The CHAIRMAN. You see, we are sitting as the jury.

Mr. SPANN. I ask to be excused for my ignorance of your procedure.

The CHAIRMAN. Are there any further questions for Col. French?

Mr. COOPER. Col. French, when was it that you first knew about the scattering of those shavings that had been disinfected?

Mr. FRENCH. When I arrived at the show.

Mr. COOPER. When did you arrive?

Mr. FRENCH. On the 25th or 26th of October. I then found the shavings placed there and asked the reason for it, and I was then informed that owing to the foot-and-mouth disease having been discovered in Michigan and Indiana it was deemed prudent to take all precautions to prevent any possibility, though highly improbable, of the spread of the foot-and-mouth disease.

Mr. COOPER. When were you informed that those disinfected shavings had been put there?

Mr. FRENCH. Before the show opened.

Mr. COOPER. By whom or by whose orders were they placed there? Did you learn, or have you been informed?

Mr. FRENCH. I was told that it was upon the orders of Dr. Bennett. I have no personal knowledge of it.

Mr. MCLAUGHLIN. Was it not stated here yesterday that those disinfected shavings were put there the second day of the show? I had that in mind.

Mr. SPANN. I find that in my evidence of yesterday I stated they were put there the day after the show, but I have corrected that, by stating that I saw them there the day the show opened, when I came there.

Mr. MCLAUGHLIN. They would naturally put shavings there from the very beginning, but when was the disinfectant put on the shavings?

Mr. SPANN. The disinfectant was there the first day of the show, when I arrived. Mr. Cooper asked by whose orders that was done. Mr. Skinner said that it was done by the order of Dr. Bennett.

Mr. COOPER. Would you have permitted your cattle to go to Chicago at all if you had known that there were disinfected shavings to be put on those premises before that show opened, or on the first day of the show?

Mr. FRENCH. I would not.

Mr. COOPER. Or if you had known that there had been a case of foot-and-mouth disease in Michigan or elsewhere in an adjoining State and if you had known that the disease was within a hundred miles or so of Chicago?

Mr. FRENCH. I think not.

Mr. MOSS. On that point, let me ask you this: Was it a matter of public knowledge that the foot-and-mouth disease did exist at the time this show was on in Michigan?

Mr. FRENCH. There were rumors of it.

Mr. MOSS. Had there been a quarantine established against certain territory in Michigan before this show opened?

Mr. FRENCH. I think possibly there had been.

Mr. MOSS. As a matter of fact, the Department of Agriculture had recognized the existence of foot-and-mouth disease and had quaran-

tined two counties in Michigan on account of it before this show opened?

Mr. FRENCH. I am not sure of the dates, but that is very likely to be true, though I was unaware of that fact.

Mr. HELGESEN. The statement made yesterday was—although I do not know whether it is correct—that the Federal Government only quarantined States and that the States quarantined counties. Now, if that is true, if there had been any quarantine by the Federal Government it would have been of the State of Michigan, and, if that is a correct statement, then certainly they would not have permitted shipments from Michigan.

Mr. MOSS. That whole matter will come out in the record later, but I think you will find that two counties were quarantined in Michigan and two counties in Indiana simultaneously. Certainly that was done by the State authorities of Michigan and the State authorities of Indiana, but they were acting upon information from the Department of Agriculture after they had diagnosed it and recognized it as foot-and-mouth disease. The point I was making was this, that this action by the public authorities, quarantining those counties, had taken place before these cattle were assembled in Chicago.

Mr. MCLAUGHLIN. Do you know whether or not there were any cattle from Michigan exhibited at that show?

Mr. FRENCH. Yes, sir; there were.

Mr. MCLAUGHLIN. Do you know from what parts of Michigan they were?

Mr. FRENCH. I do not.

Mr. MCLAUGHLIN. Do you know the names of the exhibitors?

Mr. FRENCH. I do not; but I can supply all of that information for you.

Mr. MCLAUGHLIN. There are said to be some fine herds of Holstein cattle at the insane asylum at Pontiac. Do you know whether any of those animals were there?

Mr. FRENCH. I can not state positively, but I will ascertain. I will furnish for the committee a list of the exhibitors from Michigan or from any other State that you desire.

Mr. HAWLEY. I suppose they have a record or list of all the exhibitors of cattle and a record of the kind of cattle exhibited?

The CHAIRMAN. It is understood, I presume, that Col. French will furnish affidavits of the parties who have personal information as to those feeders having been shipped out of the Union Stock Yards on the dates he has mentioned?

Mr. FRENCH. Yes, sir.

Mr. MCLAUGHLIN. It may be interesting to the committee to know that Niles, Mich., where this outbreak occurred, is in the extreme southwest corner of the State of Michigan.

Mr. HAWLEY. How far is it from Chicago?

Mr. MCLAUGHLIN. It is within 100 miles. It is down almost on the point where Indiana, Michigan, and Lake Michigan come together.

Dr. MOHLER. It is 82 miles from Chicago.

The CHAIRMAN. I did not catch your answer to the question, asked you a moment ago, as to whether you had any information of the fact that a quarantine had been thrown around certain counties in Michigan and Indiana when you shipped your cattle?

Mr. FRENCH. No, sir; I did not have that information; but I think that Mr. Moss's statement that such a quarantine had been established is correct. I had no personal knowledge of it at the time, or I would not have shipped my cattle there.

Mr. COOPER. I would like to ask Col. French one more question. When did you first hear that the disease which had broken out at Niles, Mich., had been declared to be stomatitis by the authorities of the Agricultural Department?

Mr. FRENCH. Before the dairy show at Chicago.

Mr. MOSS. What authority in the Department of Agriculture pronounced this to be acute stomatitis?

Mr. FRENCH. I do not know.

Mr. HELGESEN. I suggest that the clerk of the committee be requested to furnish Col. French with a list of the questions or of the information you want him to furnish.

Mr. FRENCH. If you will give me a transcript of my testimony within a reasonable time during the day, I can then get busy and secure the information you wish.

Mr. MOSS. With regard to the alleged shipment of feeders from the Union Stock Yards, I suggest that the chairman of the committee be instructed to wire the stockyards authorities, who have the records, asking whether or not, as a matter of fact, such cattle were shipped on those dates. I suggest that the committee might wire direct to the authorities of the stockyards and have their statement submitted on their authority.

(The telegrams follow:)

WASHINGTON, D. C., *February 26, 1915.*

A. G. LEONARD,
Manager Union Stock Yards, Chicago, Ill.:

By direction of the Committee on Agriculture of the House of Representatives. I desire to know if any cattle, sheep, swine, or other ruminants were shipped, other than for immediate slaughter, out of the Union Stock Yards of Chicago, Ill., or interstate or foreign commerce on October 31, November 1, or November 2, 1914; and if so, what classes of animals, and to whom, and to what points. Wire answer; collect.

A. F. LEVER,
Chairman Committee on Agriculture.

UNION STOCK YARDS,
Chicago, Ill., February 26, 1915.

A. F. LEVER,
Washington, D. C.:

No cattle, sheep, swine, or other ruminants were shipped other than for immediate slaughter out of the Union Stock Yards of Chicago, Ill., for interstate or foreign commerce on October 31, November 1, or November 2, 1914.

ARTHUR G. LEONARD.

Mr. HELGESEN. Col. French, were you refused permission to remove your cattle prior to the 31st of October?

Mr. FRENCH. Yes, sir; we were refused permission on the 29th. From the questions of Mr. Moss, I suppose you want us to say whether the Government has been wholly bad or 50 per cent bad. Now, I want to state that I have attempted to make the criticism that I have made of the Bureau of Animal Industry apply to its enforcement of the regulations in the city of Chicago.

Mr. SPANN. I would like to have put on record there, right after that statement, as a positive statement from me, and under oath if

you wish me to make it that way, that we were refused the privilege of shipping our cattle on Thursday, the 29th of October, when I made the request. I also telegraphed to Dr. Melvin on the 29th of October or the 30th, the days on which they shipped those cattle from the Chicago stockyards, protesting against the holding of our cattle there subject to infection, and asking the privilege of having them returned to Kentucky in sealed cars, under the supervision of the State commissioner of agriculture, the cattle to be held at the fair grounds at Louisville, Ky., as long as they might say, for observation, and that request was refused.

Mr. COOPER. On what day did you hear that the Department of Agriculture, through Dr. Melvin, had telegraphed to the show not to permit the animals to leave? Was it before or after Thursday, or about that time?

Mr. FRENCH. It was, as I remember, on Friday that I heard the information. The telegram may have been sent on Thursday.

Mr. COOPER. At that time had there been, to your knowledge, any outbreak of the disease among the cattle on exhibition?

Mr. FRENCH. There had been none.

Mr. COOPER. Do you know, then, where the Agricultural Department, or its officials in Washington, secured the information or received the intimations on which they based that order?

Mr. FRENCH. I do not.

Mr. COOPER. Was it a telegram?

Mr. FRENCH. I do not know.

Mr. MCLAUGHLIN. When did the first case of foot-and-mouth disease occur among the cattle exhibited at Chicago?

Mr. FRENCH. In the early part of the next week after October 29.

Mr. COOPER. So this telegram must have been based upon information concerning the disease outside of the dairy show?

Mr. FRENCH. It would seem so.

Mr. HELGESEN. Is the treatment given the cattle in this barn at Chicago of such a difficult character that it could not have been administered at home?

Mr. FRENCH. No, sir; but we had peculiar surroundings which favored us in carrying on an almost perfect quarantine, and such conditions would not prevail in one out of a thousand cases.

Mr. ANDERSON. Are we to understand from that statement that you do not agree with Mr. Spann that you should have been permitted to ship the cattle out?

Mr. FRENCH. They did not have the foot-and-mouth disease when we wished to ship them out, and there was no occasion for remarkable sanitary conditions then.

Mr. HAUGEN. Had they been exposed?

Mr. FRENCH. Not that we knew of.

Mr. ANDERSON. How soon does the disease occur after exposure?

Mr. FRENCH. The disease breaks out in from one to five days, usually.

Dr. MOHLER. That is a very short time. We have had it to go as high as 22 days.

Mr. FRENCH. Then it breaks out in from one to a hundred days. Say from 1 to 100 days, and you can draw your own conclusions. It usually shows, however, in a very few days. There had been no case of that disease among them on the 29th day of October, and whether

they had contracted it two or three weeks before they came to Chicago or whether they contracted it there after the 29th of October, you gentlemen must judge for yourselves.

Mr. ANDERSON. I do not reconcile your position with that of Mr. Spann. As I understand him, he objects because the Government did not permit you to ship your cattle out of Chicago, while you are saying that they ought to have been kept in Chicago because you had an ideal quarantine place there.

Mr. FRENCH. The gentleman did not understand my answer to his question.

Mr. ANDERSON. My reason for asking the question——

Mr. FRENCH (interposing). We had at Chicago peculiarly fortunate sanitary conditions—I said almost perfect conditions. If my animals had gone home, they would have had perfect sanitary conditions, and I presume these other breeders would have had the same; but remember there are very few farms in America—not one in one thousand, if you please—that are kept up as these breeders keep up their establishments.

Mr. ANDERSON. Then, I understood you to say that so far as these particular cattle that were at the show were concerned, it would have been perfectly proper to have permitted them to be shipped to the places from which they came?

Mr. FRENCH. Yes, sir.

Mr. MOSS. That is just an expression of opinion as to the policy.

Mr. HAUGEN. Your contention is that inasmuch as the cattle were retained there at extra expense, you should be reimbursed the expense you incurred by reason of their retention?

Mr. FRENCH. This is my claim exactly. I claim that the Government kept our cattle there, and whether they had the foot-and-mouth disease before the 29th of October or contracted it afterwards it is impossible to prove.

Mr. HAUGEN. And the Government has carried on the experiment——

Mr. ANDERSON (interposing). I did not catch your statement.

Mr. FRENCH. Whether the animals had the infection of foot-and-mouth disease before the 29th of October or not it is impossible to definitely prove. Our contention is that they contracted that disease either during the exhibition or after the 29th of October, and our contention can be proven by the fact that none of those homes from which the herds came have ever had foot-and-mouth disease. If they had had the foot-and-mouth disease before they left home, they would have left traces of it back home after that time.

Mr. REILLY. It was a wise precaution on the part of the Government to keep the cattle there.

Mr. FRENCH. That I am not now questioning at all; I think it was wise.

Mr. REILLY. Even after the 29th of October?

Mr. FRENCH. I think that in view of the information they had they were absolutely justified in depriving us of our cattle.

Mr. REILLY. Then, your only complaint is that they did not give general notice to the breeders before the fair opened that there was foot-and-mouth disease in certain sections of the country?

Mr. FRENCH. Yes, sir.

Mr. REILLY. That is your sole complaint?

Mr. FRENCH. That is my contention.

Mr. HAUGEN. But besides you have a claim against the Government?

Mr. REILLY. That is the ground of the complaint.

Mr. HAUGEN. The grounds are that the cattle were retained there at extra expense and that he could have kept the cattle at home at less expense.

Mr. FRENCH. We have two grounds on which we claim compensation: The first is that the Government took our cattle and we are entitled to compensation for that without giving our reasons why we are entitled to the compensation, and the next ground is that on the broad equities of the case we are entitled to compensation at all times——

Mr. REILLY (interposing). You are not any more entitled to compensation than those who stayed at home are entitled to compensation?

Mr. FRENCH. No, sir.

Mr. REILLY. Unless the injury that you received resulted from the failure of the Government to give you proper notice of the existence of foot-and-mouth disease?

Mr. FRENCH. I hold that the Government took our cattle and kept them, and that we are entitled to compensation, no matter for what reason they took them.

Mr. LESHER. If you had allowed the Government to kill your cattle, or if you people had submitted to that——

Mr. FRENCH (interposing). We were willing for them to take our cattle if they would pay the appraised price.

Mr. LESHER. If you people had submitted, they would have taken your cattle and killed them?

Mr. FRENCH. If they could have taken them for $50 per head, they would have killed them gladly. That is what they wished to do.

Mr. MCLAUGHLIN. Before you leave that matter, I want to ask you a question: I believe you stated that there has been no case of foot-and-mouth disease on the farm of any exhibitor at the show. I may have misunderstood the testimony of the gentleman from New Jersey, but it seems to me that he said that since the dairy show his cattle in New Jersey have been infected.

Mr. FRENCH. He was not an exhibitor at the dairy show.

Mr. MOSS. You were expressing the opinion that the exhibitors ought to have had a warning from the Government concerning the existence of foot-and-mouth disease. Now, if they had at that time knowledge of the existence of foot-and-mouth disease in four counties, and if they knew that those four counties were under quarantine, and if they had no knowledge of the existence of foot-and-mouth disease anywhere else in the United States, then do you think they were called upon to notify each individual exhibitor in the United States of that condition?

Mr. FRENCH. It was unnecessary to notify each exhibitor. If they had notified the general manager of the dairy show he would have notified the exhibitors.

Mr. MOSS. That is not an answer to my question. My question was whether the Government took due precautions or not. Now, if the Government had knowledge of the fact that the only territory that was tainted with foot-and-mouth disease was under quarantine,

then did they not go as far as prudence dictated that they should go at that time?

Mr. FRENCH. In answer I would say that if we had the same conditions existing to-day, the Government would not allow the dairy show——

Mr. Moss (interposing). That would have been true only because of the fact that foot-and-mouth disease had been very much more widely spread than anybody had knowledge of at that time?

Mr. FRENCH. Yes, sir.

Mr. Moss. Therefore, it comes back to the proposition that hindsight is better than foresight. My question relates to the criticism of the Department of Agriculture, and the question is did they do all that they should have done with the knowledge they had at that time?

Mr. FRENCH. My criticism was not of the Department of Agriculture, but of the management of the Department of Agriculture at Chicago.

Mr. COOPER. If the Department of Agriculture knew of the outbreak of foot-and-mouth disease and knew of its exceedingly virulent and contagious character, ought not they to have done something besides merely permitting the counties to quarantine?

Mr. FRENCH. It seems to me that we are getting away from the question at issue, which is whether we are entitled to reimbursement for the moneys which we have expended, and, unless there is something that is really pertinent that these members wish to ask me, if the chairman will excuse me I will thank him very much.

Mr. LEE. How much was expended?

Mr. FRENCH. About $150 per animal will have been expended by the end of this month.

Mr. HAUGEN. If the department had paid the dairy value of the cattle, it would have amounted to——

Mr. FRENCH (interposing). About $250 per animal.

Mr. HAUGEN. So there is a real saving of $100 per head to the Government?

Mr. FRENCH. Yes, sir; at the present time.

Mr. SPANN. Mr. Chairman, I take it that Mr. Moss is trying to get at the real facts and to get a fair statement of things. He asked whether, if the Government had information of the foot-and-mouth disease in one or two places and quarantine had been established there, they were taking fair precautions or proper precautions in this matter. Now, in regard to that I will state that it is not the precaution that they usually take. I said in my testimony yesterday that I imported cattle from the Island of Jersey, and if there is an outbreak of foot-and-mouth disease in any part of England or Scotland, they quarantine against the whole United Kingdom for 3 months or 90 days, and will not allow us to bring any cattle from there. Now, if they had taken the same precautions and prevented cattle from coming to Chicago, we would not have been there and would not have had this expense.

Mr. Moss. How many times has foot-and-mouth disease broken out in the United States?

Mr. SPANN. I would say about five times.

Mr. Moss. What was the difference in their treatment of the first outbreak from their treatment of the last outbreak in the early stages?

Mr. SPANN. I can not tell you.

Mr. Moss. The first outbreaks were handled successfully by the Department of Agriculture.

Mr. SPANN. Yes, sir.

Mr. Moss. The disease was stamped out successfully?

Mr. SPANN. You asked me what precautions were taken then other than those taken in this last outbreak, and I will say this, that they properly diagnosed the disease in all the other outbreaks except this one. I am not questioning the mistakes of a single individual——

Mr. Moss (interposing). The point is that we know that the Department of Agriculture correctly diagnosed it as foot-and-mouth disease and that four counties were quarantined. Now, the point I want to get at is this: In these past outbreaks what precautions did they take for the protection of the public in addition to those they took this last time after they diagnosed this as foot-and-mouth disease?

Mr. SPANN. When individuals make mistakes, they pay for them.

Mr. Moss. I would prefer that you answer the question I put. What additional precautions did they take in past outbreaks after the disease had been correctly diagnosed as foot-and-mouth disease to those taken in this last outbreak?

Mr. SPANN. I did not get mixed up in any of the past outbreaks, and can not tell you.

STATEMENT OF MR. C. M. WINSLOW, SECRETARY OF THE AYRSHIRE BREEDERS' ASSOCIATION, BRANDON, VT.

The CHAIRMAN. Mr. Winslow, as briefly as you can I wish you would give the committee such information as you have about the matter now under consideration.

Mr. WINSLOW. I have very little information, Mr. Chairman; I have no documentary information; but I was at the National Dairy Show, all through; and I received a telegram from Mr. Skinner last Tuesday telling me to send our committee here to this hearing, because it was very important. I could not get in touch with the three members on this committee, Mr. French, Mr. Valentine, and Mr. Chisholm, and I was obliged to put in an appearance here simply to represent the association.

At the National Dairy Show I heard of matters, but I knew nothing; I have no personal information on any of these points.

After I returned home I received a call asking me to get busy to see if they would delay the killing of the cattle when they were going to kill all the cattle immediately, and I wired Secretary Houston and received a letter from him saying that they should delay; and that is really about all I have to say. I simply wish to represent the association here.

Mr. MCLAUGHLIN. Were you an exhibitor at the National Dairy Show?

Mr. WINSLOW. I was not an exhibitor. I had a booth at the National Dairy Show for the Ayrshire Breeders' Association, and was simply present as a visitor.

Mr. MCLAUGHLIN. What, in your judgment, was the average value of the Ayrshire animals exhibited there?

Mr. WINSLOW. Why, the average, I should say, was somewhere from $400 to $500 a head; that is, judging from the prices that we

get. Do you mean the animals in the Ayrshire Association, or the whole number of animals?

Mr. McLAUGHLIN. The Ayrshire exhibit, I mean.

Mr. WINSLOW. Yes. It was from $400 to $500 a head.

Mr. McLAUGHLIN. How many Ayrshire animals were exhibited at that show?

Mr. WINSLOW. There were three herds; I do not know; I can give you documentary evidence of it if you would like, but I have not it here with me. There were three large herds.

Mr. HAUGEN. Can you give an estimate of the value of all the cattle exhibited?

Mr. WINSLOW. No; I can not. I would not like to give an estimate on the other breeds.

Mr. Moss. Did you attend a public sale of Jersey cattle held in connection with that show?

Mr. WINSLOW. No; from what I heard I did not think it worth attending.

Mr. Moss. Can you give the committee any information as to the average value of the cattle that were sold at that sale?

Mr. WINSLOW. No; I can not.

The CHAIRMAN. We are much obliged to you for your statement, Mr. Winslow.

STATEMENT OF DR. JOHN R. MOHLER, BUREAU OF ANIMAL INDUSTRY, DEPARTMENT OF AGRICULTURE.

The CHAIRMAN. Dr. Mohler, will you please state for the record your name and the title of the office you hold?

Dr. MOHLER. My name is John R. Mohler, and I am Assistant Chief of the Bureau of Animal Industry.

Mr. Chairman, this subject of foot-and-mouth disease is such a comprehensive one that I would like to begin, in connection with the point raised by Mr. Spann, by comparing the origin of the outbreak of 1902 with the outbreak of 1908 and the present outbreak of 1914, in order to make a correct statement of the facts.

The 1902 outbreak first appeared in the month of August, around Chelsea, Mass. It was not uncovered until about the 13th of November. The outbreak of 1908——

Mr. HAWLEY (interposing). Do you mean that in the case of that first outbreak you were uncertain as to the character of the outbreak——

Dr. MOHLER. Until the 13th of November.

Mr. HAWLEY. And you did not determine the character of the disease until then?

Dr. MOHLER. It was not brought to the attention of the department, or any official, until November.

Mr. HAUGEN. That was about three months?

Dr. MOHLER. Yes; about three months. In the 1908 outbreak, the first cases occurred in the fore part of September, and they were not brought to the attention of the officials, or the Department of Agriculture until November also.

This present outbreak originated in Berrien County, Mich., in August, and was diagnosed by the Department of Agriculture on the 15th of October, a full month in advance of the diagnosis of the out-

breaks of 1902 and 1908. Now, we do not know a thing about the origin of this present outbreak.

Mr. HAWLEY. It was diagnosed on October 15 as what?

Dr. MOHLER. As foot-and-mouth disease.

Mr. HELGESEN. Had it been called to your attention prior to that time, before it was diagnosed as foot-and-mouth disease?

Dr. MOHLER. The disease occurred in August in Berrien County, Mich., and two local practitioners were asked by the owners of the infected cattle to treat these animals. The disease spread among the individuals in the herds, and the practitioners requested the State veterinarian of Michigan to come down to Berrien County to make an examination of the infected animals.

Mr. MCLAUGHLIN. Do you know when that was?

Dr. MOHLER. That was the latter part of August. Then the State veterinarian went from Berrien County direct to Detroit, Mich., where we have a local office, and requested aid from one of our assistant inspectors, Dr. Fess.

Dr. Fess went out with him on the 2d of September, and wired to Washington on the 3d of September to the effect that there were no indications of aphthous fever, which is the scientific name for foot-and-mouth disease, but characteristic lesions of necrotic stomatitis were present.

From that time until the 10th of October we heard nothing further about the disease in Michigan.

Mr. HAUGEN. To what extent did it spread in that period?

Dr. MOHLER. Very slightly. The disease was of very mild type, the period of incubation was much longer than it is at the present time, and very few herds were involved.

The first inspection made by our inspector at Detroit showed only two herds infected.

That was, as I said, the 3d of September. The next time it was brought to the attention of the department was through the State veterinarian of Michigan when he again visited Detroit, and at that time he took the inspector in charge of the Detroit office, Dr. Schaffter, up to Berrian County with him.

Dr. Schaffter reported in a five or six page letter, dated October 7, describing certain reasons why this disease could be foot-and-mouth disease, and also describing certain reasons why it could not be foot-and-mouth disease.

Mr. HAWLEY. When did you receive that letter?

Dr. MOHLER. We received that letter on the afternoon of October 10, and we immediately sent a man on the first train to Niles, Mich., by way of Buffalo, N. Y.

Mr. ANDERSON. Is it true that the symptoms of necrotic stomatitis and those of foot-and-mouth disease are very much alike?

Dr. MOHLER. They are very similar in the later stages of foot-and-mouth disease. In fact, the organism that produces this necrotic stomatitis is usually found in old lesions of foot-and-mouth disease, and that is one of the reasons that he diagnosed it as he did, because the odor of the necrosis bacillus was present.

Mr. HAUGEN. Is it difficult to detect foot-and-mouth disease?

Dr. MOHLER. Not in the earlier stages. There is only one particular lesion which is peculiar to foot-and-mouth disease, and that is the blister which may occur in the mouth and about the hoofs as

in no other disease. After the blisters break, other disease germs enter and mask the picture.

Mr. ANDERSON. The reason I asked the question is this: If it is true that the symptoms of the two diseases are very much alike, it seems rather strange to me that the department did not detect the existence of foot-and-mouth disease and take greater care in determining it definitely than it did take.

Dr. MOHLER. My only answer to that would be that the man who went out to examine the cattle had been through the experience of the outbreak of 1908, which also occurred in Michigan, and we did not have the slightest idea of any foot-and-mouth infection being within 3,000 miles of here. In fact, the nearest case of foot-and-mouth disease that we knew of was in England, and we were not anticipating that every report of necrotic stomatitis might be foot-and-mouth disease.

Mr. ANDERSON. Let me ask you this question: Is necrotic stomatitis a very common disease?

Dr. MOHLER. Necrotic stomatitis is very common in that particular section of Indiana and Michigan, and also in certain other localities, such as Colorado.

The CHAIRMAN. On the 3d of September your man first came in contact with these diseased herds, did he?

Dr. MOHLER. Yes, sir; there were only two at that time.

The CHAIRMAN. There were only two at that time, and he was not certain at that time that it was necrotic stomatitis?

Dr. MOHLER. He was positive it was not foot-and-mouth disease and wired that the symptoms were characteristic of necrotic stomatitis.

The CHAIRMAN. In view of what has happened, is it your judgment that the department exercised a proper precaution in failing to quarantine those herds on the 3d of September?

Dr. MOHLER. I think that we had nothing further to go on. The State veterinarian was also a man who had been through the 1908 outbreak in Michigan at that time as an official of the Parke, Davis Chemical Co. That particular firm had the disease in their herd, and this State veterinarian lost several fine Shorthorn cattle which were exposed to those infected with foot-and-mouth disease in 1908.

The CHAIRMAN. And your answer to Mr. Anderson's question, then, is that this necrotic stomatitis is a common disease among cattle?

Dr. MOHLER. Yes, sir. The germ is widespread and also attacks hogs, sheep, and other animals. The men who examined these cattle were the men who had had experience in 1908; they were not green men.

The CHAIRMAN. Well, that brings you up to October 10, 1914.

Dr. MOHLER. Yes, sir. Several days prior to October 10 our Detroit office was visited by the State veterinarian, who asked the inspector in charge to proceed with him to Berrian County to investigate the disease. The visit was made and the report of the inspector, Dr. Schaffter, reached Washington October 10, stating, as I said before, that there were certain reasons why it could be foot-and-mouth disease and certain reasons why it could not be foot-and-mouth disease. But his letter was so comprehensive, giving the number of animals in the herd, stating how infectious the disease appeared to be, and how the period incubation was decreasing, compared with

previously, that we thought it might be foot-and-mouth disease, and we immediately sent an expert from here to Niles, Mich., that same day.

That letter was accompanied by specimens from the infected animals. I took those specimens out to our station at Bethesda, Md., that same afternoon and inoculated three calves. One calf did not show any symptoms until seven days afterwards, although it was injected into the jugular vein, a method that usually produces the disease in from six hours to four or five days. The second animal did not develop symptoms until nine days, and the third animal remained alive without showing any symptoms whatever. I mention this merely as an indication of the mildness of the virus of the disease at that particular time.

The CHAIRMAN. I was just about to ask you what that indicated. You may proceed.

Mr. HAUGEN. You spoke of experienced men. Did you have reference to the men employed by your department or by the State?

Dr. MOHLER. To both.

Mr. HAUGEN. But at the time one of your representatives was present, was he?

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. When did you first know that it was foot-and-mouth disease?

Dr. MOHLER. We sent Dr. Eichhorn to Michigan that evening, and he made his examination on October 12, Monday morning. He wired something like this: "Clinical picture positive. Advisable to send Mohler on first train," and so on. I can bring you the telegram, but it was in words to that effect: "Advisable to send Mohler on evening train to reach Niles to-morrow afternoon."

Dr. Melvin immediately wired back to inoculate a calf, to confirm his clinical diagnosis, and also stated that I had those three calves under close observation, and if the symptoms did not develop in these calves in 48 hours I would immediately proceed to Berrian County. The 48 hours elapsed, and as no symptoms appeared in those calves, I left for Niles, Mich., arriving there on October 15, at half past 6 o'clock in the evening.

We immediately went out that evening in an automobile and examined some of the infected cattle and the calf that Dr. Eichhorn had inoculated on Monday. That calf showed slight but typical symptoms of foot-and-mouth disease. The various cattle that we inspected by electric flashlight also showed typical lesions of foot-and-mouth disease, and I immediately wired a night letter to the bureau here in Washington that the calf inoculated showed slight but typical lesions of foot-and-mouth disease; that after an examination of a number of infected animals, it was indisputably the European disease, and stated something in reference to sending 15 men to start the work of eradication.

Mr. HAWLEY. What day of the month was that?

Dr. MOHLER. That was the 15th. A night letter was sent October 15 and reached here the 16th. On the 16th I sent out a few men that were available to ascertain the extent of the outbreak. I had wired ahead from Buffalo to the Detroit office, so that we would have one of the men from the Detroit office available, and Dr. Melvin had ordered several other men there, in case it proved to be foot-and-mouth disease.

So, on the 16th of the month, we scouted up and down in the infected area, in order that we could circumscribe the area of infection. In the evening I wired here that we thought we had the number of herds in Michigan that were infected, 39. The disease had been spreading evidently since the time of the report to the department on the 10th of October.

Mr. HAUGEN. That was really from early in September to October 16?

Dr. MOHLER. I am speaking about the number of herds that Dr. Shaffter reported on. When he went out in October, he found more herds than the two herds the first man had found. Shaffter found about eight herds, and when we got out there about eight or ten days later there were 39 herds. On the following day, the 17th, we did the same kind of scouting in northern Indiana to see how extensive the disease was in Indiana, and, as a result of two days' scouting, we wired that we thought the disease was confined to four counties, and recommended that quarantine be placed on Berrien and Cass Counties, in Michigan, and St. Joseph and Laporte Counties, Ind. The States, by the way, did not quarantine those counties. They only quarantined townships in those counties, and the wisdom of that is shown by the fact that Cass County, Mich., has never become infected. There are 191 herds in Berrien County infected, but the disease never got east of the St. Joseph River, except in one instance.

Mr. HELGESEN. The Government has the right to quarantine a district, large or small, where the disease exists, has it not?

Dr. MOHLER. Yes; so far as interstate traffic is concerned. So we quarantined those two counties in Michigan and those two counties in Indiana.

The CHAIRMAN. What date did that become effective?

Dr. MOHLER. October 19 for those four counties.

Mr. HELGESEN. Did the State cooperate with you in quarantining those counties?

Dr. MOHLER. Yes; that is the only way to do it effectively.

Mr. HAUGEN. I know that is the way it is done, but I say you had no difficulty whatever?

Dr. MOHLER. We had no difficulty whatever.

Mr. HELGESEN. It is not necessary for the United States Government to quarantine a whole State, where the disease appears only in certain sections of the State, is it?

Dr. MOHLER. Not unless we suspect hidden centers of infection; that was done when a larger territory was involved than we at first thought.

Mr. HAUGEN. When you quarantined a whole county in a State, and the State only quarantined a township, was there not a conflict of authority there?

Dr. MOHLER. There was no real conflict. We did not know that the Washington authorities were going to accept our recommendations; in fact, they do not always do so.

Mr. HAUGEN. Do you mean the Washington office here accepting the recommendations of the men in the field?

Dr. MOHLER. Yes.

The CHAIRMAN. You first have to ascertain the fact of the existence of one of these contagious diseases, before the Secretary of Agriculture has any authority under the law to declare a quarantine, do you not?

Dr. MOHLER. Absolutely.

The CHAIRMAN. Now, that brings you to October 19, when the quarantine was declared effective.

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. Well, on October 15 they had the knowledge.

The CHAIRMAN. Yes. Now, then, when did this National Dairy Show in Chicago take place?

Dr. MOHLER. Somewhere around the 22d of October.

Mr. HAUGEN. What did you do in the way of publicity?

The CHAIRMAN. I was just going to ask that question.

Dr. MOHLER. In accordance with the law we have a general rule of publishing the contents of all these quarantine orders in two newspapers published in the State involved, and we did that for Michigan and for Indiana, and I do not know how much further. But the local newspapers were full of the story about the foot-and-mouth disease.

We sent our publications out from Washington; and we have a considerable number on foot-and-mouth disease. We gave out those stories to various newspapers including Chicago papers, and had as much publicity given to the matter on the 16th of October as it was possible for the two local papers to handle. The Chicago papers sent men in from Chicago to get the information subsequently.

The CHAIRMAN. On the 16th of October?

Dr. MOHLER. Some time after the 16th of October.

Mr. MCLAUGHLIN. What newspapers were you publishing it in in Michigan?

Dr. MOHLER. I could not tell you. They were selected on account of having a large circulation. That is done as a routine matter. I can find out the names for you.

The CHAIRMAN. Have you any knowledge as to when the Chicago papers first made mention of the foot-and-mouth disease?

The CHAIRMAN. But they sent their correspondents there on the 16th of October?

Dr. MOHLER. I do not know whether it was the 16th. It was after we diagnosed the disease, but the two local Niles papers, the Sun and the Star, published information about the foot-and-mouth disease daily after the 16th of October.

The CHAIRMAN. Did the Chicago correspondents reach Niles, Mich., before the quarantine was declared effective?

Dr. MOHLER. No; I do not believe they did.

The CHAIRMAN. You do not think they did?

Dr. MOHLER. I did not meet them at that time, but probably a few days later.

The CHAIRMAN. About how long after that date, if you have any recollection?

Dr. MOHLER. I do not recall. I was out there on two different occasions, and I met them in October, but I could not tell you the exact date.

The CHAIRMAN. Was any story sent out from Washington to the Associated Press relative to this quarantine on October 19?

Dr. MOHLER. The Office of Information published an article about that date, but I can not tell you the exact time.

Mr. HAUGEN. About what time was that?

Dr. MOHLER. I could not tell you. This is a matter of record in the Office of Information.

The CHAIRMAN. I think it is important that the date of this notice here from Washington should go into the record, and I will ask Dr. Mohler, with the consent of the committee, to furnish that date.

Dr. MOHLER. On October 19 the office of information sent a long story about the foot-and-mouth disease quarantine to the five press associations, the Washington Post and Herald, and to all the correspondents of Michigan and Indiana papers.

Furthermore, on October 19 the Secretary sent out notices to 16 railroads and express companies about the quarantine on the four counties in Michigan and Indiana. They were addressed to Chicago, Detroit, Cincinnati, Cleveland, Indianapolis, Montreal, St. Louis, Baltimore, New York, and Jackson, Mich., six of the general managers in Chicago receiving them. Similar notices were sent to the State Journal, Lansing, Mich.; the Star, Niles, Mich.; Indianapolis News, Indianapolis, Ind., and the News-Times, South Bend, Ind., for publication. On October 16 Editor Gillam of the Niles Sun sent dispatches to the Free Press and News, of Detroit, and Editor Cook of the Niles Star sent news items to New York World, Detroit Journal, and Grand Rapids Press.

Mr. MCLAUGHLIN. When did you know of the first publication in relation to this matter in the Chicago Tribune?

Dr. MOHLER. I have not any definite information on that at all. We get clippings from those Chicago papers, but I have not any definite information.

Mr. MCLAUGHLIN. Can you learn?

Dr. MOHLER. I believe so, sir.

Mr. MCLAUGHLIN. And put it in the record.

Dr. MOHLER. The Chicago Drovers' Journal was the first Chicago paper to publish news about the outbreak of foot-and-mouth disease in Michigan, and the date was October 16.

Mr. HELGESEN. In your opinion, do you think the English system of practically putting a quarantine on the whole country temporarily, until they can find out what the ravages are—do you think that would be an unnecessary precaution?

Dr. MOHLER. I have never understood England to do that. In fact, all the publications of the English Government indicate that they do not do that.

Mr. HELEGSEN. In the breaking out of a disease of this kind do you not think it would be a wise precaution to prevent shipments over the whole country for a few days?

Dr. MOHLER. A few days would not be sufficient.

Mr. HEIGEESN. Well, whatever the time required is.

Dr. MOHLER. I think that would be an unnecessary hardship, to close up a territory absolutely free from the disease and to make everybody suffer, because the disease is in a relatively limited area.

Mr. HAUGEN. You might describe more fully about your publicity bureau, or Office of Information. To what extent do you carry your publicity matters? Was the publicity given to this matter due publicity?

Dr. MOHLER. Yes; I consider that due publicity was given to the information we had about the foot-and-mouth disease, not only direct to the newspaper men, including the Associated Press, but also through a number of articles which were sent out.

Mr. HAUGEN. And there was nothing held back?

Dr. MOHLER. There was nothing held back.

Mr. HAUGEN. It was given to the press freely?

Dr. MOHLER. I can file the circular letters and letters from the Office of Information with the committee.

Mr. HAUGEN. Do the newspaper men generally call at the office for information?

Dr. MOHLER. Yes, sir; at that time they came in five or six together to get information.

Mr. HAUGEN. Every day?

Dr. MOHLER. Every day; yes.

Mr. ANDERSON. When were the Chicago Stock Yards closed, do you remember?

Dr. MOHLER. On the 31st of October.

Mr. COOPER. What answer did he give?

Mr. ANDERSON. The 31st of October.

Dr. MOHLER. The quarantine of the Union Stock Yards took effect on the 31st of October.

Mr. HAUGEN. Had you any knowledge of the National Dairy Show being held at Chicago?

Dr. MOHLER. Yes, sir; we had.

Mr. HAUGEN. What notice did you give the authorities of the dairy show? Did you give them any notice of the prevalence of the foot-and-mouth disease? I should not say "you," but the department?

Dr. MOHLER. I could tell you right now that I did not. I was up to see Dr. Melvin last evening about a certain line of information that would answer your question. He is ill with pneumonia and I was not able to send the question up to him. But he told me, on our recent trip to Chicago, that he had sent information to Mr. Skinner or some other individual in Chicago that it would be inadvisable for the show to take any cattle from Michigan on account of the outbreak of the foot-and-mouth disease.

Mr. HAUGEN. Who is Mr. Skinner?

Dr. MOHLER. He is manager of the dairy show.

Mr. MCLAUGHLIN. What was the date of the communication to Mr. Skinner?

Dr. MOHLER. I could not tell you.

The CHAIRMAN. You may now continue your statement, Dr. Mohler.

Dr. MOHLER. After the quarantine went into effect in those four counties in Michigan and Indiana, everything was going along smoothly. The disease was being confined to the originally infected counties and we knew nothing further about any spread of the disease until the 28th of October. I had gone to the dairy show with the secretary on Sunday, October 25, and I left Chicago on the 27th of October, with the idea of stopping for several days at Niles, Mich., to look over the work there. When I got to Niles that evening, there was a report from Blissfield, Mich., that some steers from Chicago were ill. We took a late trolley down to South Bend.

Mr. ANDERSON. What date was that?

Dr. MOHLER. That was the night of the 27th of October.

Mr. HELGESEN. Had those steers been shipped from Chicago and they were ill in Michigan?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. What was the character of those; were they h steers or feeders?

Dr. MOHLER. They were stockers and feeders. They were shipped from Chicago on the 19th of October.

Mr. HAUGEN. You had better let him proceed in his own way.

Dr. MOHLER. I reached Niles on the 27th, Tuesday evening, and I was informed at once about this illness among the steers at Blissfield, Mich. We went down to South Bend, Ind., that night and got up early the next morning to make the 4 o'clock connection from Chicago to Blissfield, and reached Blissfield Wednesday morning, October 28. Several of the steers were found to be pretty seriously infected with foot-and-mouth disease. The others were not infected as yet.

That was the first information we had that the Chicago Stock Yards might be infected. These animals came from Chicago on the 19th of October, and it was then a question whether the stockyards were infected or whether the steers had been shipped in an infected car. In order to play safely, we assumed that the Chicago Stock Yards were infected and did not make light of the proposition by assuming that the car only was infected. I called up Dr. Bennett from Blissfield, Mich., and told him about this individual shipment. I asked him to get all the information possible about other shipments coming out since the 19th of October and cautioned him to keep his eye on the National Dairy Show herd.

I reported at once to Washington about this occurrence at Blissfield among the steers. On the morning of the 29th a telegram was sent to Dr. Bennett by the Washington office as follows:

Endeavor arrange with management of the National Dairy Show to hold all exhibition animals there until November 7 for investigation contagious disease. Wire answer.

The CHAIRMAN. What was the date of that telegram?

Dr. MOHLER. October 29.

Mr. ANDERSON. Whom was that from?

Dr. MOHLER. Dr. Steddom, Acting Chief of the Bureau of Animal Industry.

Mr. ANDERSON. And to whom was it?

Dr. MOHLER. To Dr. Bennett, who was inspector in charge at Chicago.

The CHAIRMAN. The first information you had that the Chicago Stock Yards might be infected was on the 19th of October—or was it later than that?

Dr. MOHLER. No; it was on that Wednesday morning, October 28, and that led back to October 19, when the steers were shipped from Chicago.

The CHAIRMAN. Oh, yes; I see. The inference was that the infection was in the Union Stock Yards October 19 prior to that date.

Dr. MOHLER. Precisely.

Mr. HAUGEN. But not discovered by you until the 27th?

Dr. MOHLER. No; the 28th.

Mr. HAUGEN. No; Wednesday was the 27th.

Dr. MOHLER. I left Niles October 27 and got into Blissfield the next morning, Wednesday, October 28.

Mr. HAUGEN. What was the date of the opening of the dairy show?

Dr. MOHLER. October 22. Then, that same day, October 29, Dr. Melvin sent another telegram to Dr. Bennett in Chicago:

Get in touch with Dyson immediately—

Dr. Dyson is the State veterinarian of Illinois—

Urge him to hold cattle in dairy show until November 7 for observation. Important all these animals be known to be healthy before disbanding. Immediately arrange for cleaning and disinfecting pens for use of feeding cattle, and cleaning and disinfecting of all cars used by same. Have frequent and careful examinations made of cattle of the dairy show. Require usual disinfection and precaution by employees making such examinations. Call on Houck for rubber capes if necessary—

Houck is our officer in charge of eradication work in Indiana and Michigan.

Now, the question of sawdust comes in here. When these animals arrived in Chicago to be exhibited, Dr. Bennett, in charge of the yards in Chicago, knew that we had foot-and-mouth disease in Indiana and Michigan, and on his own initiative took the precaution of having these animals led out of the cars over sawdust sprinkled with creosol solution.

Mr. HAUGEN. What date was that?

Dr. MOHLER. The gentleman over there [indicating] can tell you.

Mr. SPANN. From the 19th to the 21st.

Mr. FRENCH. From the 18th to the 21st.

Mr. HAUGEN. Then he had notice at the opening of the show?

Dr. MOHLER. Yes; he was informed on October 16, and we also notified the State veterinarian of Illinois from Niles, Mich. I had the State veterinarian of Michigan notify the State veterinarian of Illinois the 16th of October.

Mr. HAUGEN. What did he advise him?

Dr. MOHLER. The cattle were coming in——

Mr. HAUGEN (interposing). He had no knowledge of it before the cattle arrived?

Dr. MOHLER. Probably they were all en route.

Mr. HAWLEY. Is that correct? Did he not know of it on October 16?

Dr. MOHLER. Yes, sir; but these cattle were coming in from all sections of the country.

Mr. HAWLEY. But he knew three days before they began to arrive in Chicago?

Dr. MOHLER. No, sir; they were en route. Some of them came from Canada, arriving October 18 and perhaps earlier.

Mr. HAUGEN. What date did the show begin?

Dr. MOHLER. My impression is the 22d.

Mr. FRENCH. The animals were received from the 18th to the 21st, as I remember. Eighty per cent of the animals were in Waterloo, and were shipped as one consignment and could have been stopped at any time before the 20th.

Mr. HAUGEN. You say 80 per cent of them?

Mr. FRENCH. Yes; 80 per cent of them were at Waterloo in one consignment and could have been stopped by telegraph. If they had got a telegram by the 20th, they could have stopped them. The cattle did not arrive, as I remember, until the 21st.

Mr. HAUGEN. And Dr. Bennett had knowledge of it on the 16th?

Dr. MOHLER. Yes, sir; but he did not have knowledge of the Waterloo part of it, you understand; he did not know anything about this 80 per cent proposition. He knew there were cattle shipped from Canada and from Minnesota and from other distant points, and

he was taking this precautionary measure of having the animals unloaded on disinfected sawdust.

Mr. ANDERSON. And there was no knowledge of infection at Chicago at that time?

Dr. MOHLER. Absolutely none.

The CHAIRMAN. And you had quarantined the Michigan and Indiana counties on the 19th?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. To what extent did that quarantine go—the quarantine in Michigan? What does that imply? It excludes all shipments, does it?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. Under what regulations?

Dr. MOHLER. Mr. Moss has read the——

Mr. HAUGEN (interposing). What I want to know is, if cattle could be shipped through the infected districts—the quarantined districts—could they go through those districts in sealed cars?

Dr. MOHLER. Stock in free areas could go through the infected areas to other free areas on the other side if they were in sealed cars.

Mr. HAUGEN. Are the cars disinfected before or after going through the infected districts?

Dr. MOHLER. Not going through the infected districts; but if they are unloaded in the infected districts, they must be disinfected before they can get out again.

The CHAIRMAN. Did I understand you to say that on the 19th of October you notified Mr. Skinner, the secretary of the dairy show——

Dr. MOHLER (interposing). The general manager——

The CHAIRMAN (continuing). The general manager of the dairy show that cattle from Michigan would not be permitted to come into the show?

Dr. MOHLER. That is the information I was trying to get from Dr. Melvin.

The CHAIRMAN. You were trying to get that from Dr. Melvin?

Dr. MOHLER. Yes; and I was not able to get it. Dr. Melvin gave me the information that he had informed somebody in Chicago about the advisability of forbidding Michigan cattle from being entered in the National Dairy Show on account of the disease existing in Michigan.

Mr. HAUGEN. You are quite certain that that was prior to the opening of the show, are you?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. It was prior to the opening of the show?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Were any cattle exhibited from the State of Michigan in the show?

Dr. MOHLER. I could not tell you.

The CHAIRMAN. Mr. Spann, have you that information?

Mr. SPANN. I have not, Mr. Chairman.

The CHAIRMAN. Col. French, have you any knowledge?

Mr. FRENCH. My impression is that there was a herd there from Michigan, but I am not positive. I can telegraph and get that information for you. I will do so.

The CHAIRMAN. All right. Mr. Mohler, you may proceed.

Mr. HELGESEN. What, in your opinion, is the importance of these great foundation herds of the country?

Dr. MOHLER. They are fundamentally necessary to improve the live-stock industry of the country. There is no question about the seed value of such herds.

Mr. HELGESEN. And they are all represented by a small number of associations, are they not?

Dr. MOHLER. Yes, sir; each particular breed has its own particular association.

Mr. HELGESEN. Do you not think it would be a wise thing—without any criticism of the past—where there has been a suspicion of the disease in the country, to notify those people and the railroads, so they would have a knowledge immediately—I mean the officials of the association simply, because I am satisfied that they would distribute it to the rest.

Dr. MOHLER. There are so many of those organizations to notify; we notify the newspapers and get the information out in a popular form. It is just a question of where you are going to stop; if you notify those associations, then they will say you ought to notify the sheep, swine, and other breeders' associations, and so on.

Mr. HAUGEN. It is just a question of giving the widest publicity to it.

The CHAIRMAN. Right on that point, I would like to read into the record the method of notice required by the law itself:

When the Secretary of Agriculture has determined the fact that cattle are infected with a contagious disease, the Secretary of Agriculture is directed to give written or printed notice of the establishment of quarantine to the proper officers of railroads, steamship, or other transportation companies, doing business in or through any quarantined State or Territory, or the District of Columbia, and to publish in such newspapers in the quarantined State or Territory or the District of Columbia, as the Secretary of Agriculture may select, notice of the establishment of the quarantine.

First of all, he must establish the fact that there is the existence of one of these communicable diseases; and when that is done, he is required under the law to make certain publications of the fact.

Now, did the Secretary of Agriculture, as a matter of fact, make due publication as required by the law?

Dr. MOHLER. Yes, sir; that law was entirely complied with in every instance.

The CHAIRMAN. All right; you may proceed.

Dr. MOHLER. When we detected the herd of infected cattle at Blissfield, the question then naturally arose as to whether the Chicago Stock Yards were involved, and we immediately had one of our agents, who is an expert on the tracing of cars, go into Chicago and get into communication with the different railroad companies, to find out the number of shipments, and the points of destination of stockers and feeders that left Chicago from the 15th of October.

Inspectors were immediately sent to these various points of destination to which cattle had been shipped from the Chicago yards, and we commenced to find infection in Ohio, Indiana, Iowa, Pennsylvania, and New York, until at the present time we have 21 States under quarantine. The greatest amount of the infection and the widespread dissemination of the disease were due to the Union Stock Yards in Chicago becoming infected, for from that central focus the disease went north, south, east, and west, as far west as

Spokane, Wash., as far east as New Hampshire, and as far south as Kentucky.

The CHAIRMAN. Now a question has arisen here, Dr. Mohler, that the department has been discriminating between certain classes of individuals in the movement of cattle out of the Union Stock Yards. Have you any information on that point?

Dr. MOHLER. No, sir; all I can tell you is that the quarantine order became effective October 31, and at the time this order went into effect there were a number of cattle in the Union Stock Yards. So far as I know they went for slaughter; most of them right there at the abattoirs within the Union Stock Yards district. In fact, there were 616 steers that were involved, and being feeders of very little value from a butcher's standpoint, they remained in the yards until the 3d of November. The disease then started to break out in these steers, and this was the first absolute knowledge we had that the pens in the Union Stock Yards in Chicago were infected. That was two days after the first dairy cow showed the infection in the dairy show herd. The first cow that became infected in the dairy show herd was a Holstein animal from Minnesota, on the 1st day of November.

Mr. SPANN. May I ask a question, Mr. Chairman, with Dr. Mohler's permission? Is it not the fact, Dr. Mohler, that Dr. Bennett received information from the department on the 28th of October, instructing him to detain the dairy show cattle there for observation?

Dr. MOHLER. Here [indicating telegrams in witness's hand] is the only information I have, and these I have already submitted.

Mr. SPANN. And that he would not allow us to leave the grounds; and is it not the fact that they did ship out of the Union Stock Yards at Chicago as late as the 30th?

Dr. MOHLER. It is a fact that they shipped out of the Chicago Stock Yards as late as the 30th, but you are absolutely wrong in saying that any information went to Dr. Bennett prior to the 29th about holding the dairy show herd.

Now, I phoned to Dr. Bennett, merely as a precautionary measure, as stated, a day before the information went to Dr. Bennett officially from Washington; but it is absolutely the fact that he received no information from Washington on the subject before the 29th. Here [indicating telegrams in witness's hand] are the documents that show that the information went from Washington in two telegrams on the 29th of October, and it is true that shipments went out of the Union Stock Yards until the 31st of October, because we did not quarantine them until then.

Mr. SPANN. He refused to allow us on Thursday, the 29th of October; and he said he had been instructed by Dr. Melvin to hold the cattle there for observation. Now that is the fact.

Dr. MOHLER. I told Dr. Bennett from Blissfield to keep a watch on that dairy-show herd.

Mr. SPANN. But they did ship them out of the stockyards on the 30th, two days later than the days ours were first held.

Mr. HELGESEN. According to your statement he held the dairy-show herd under your instructions——

Dr. MOHLER (interposing). No, sir; I only told him to keep a lookout.

Mr. HAUGEN. The statement is that he did hold them but probably not by authority from the department, but on his own authority; but it was represented to these gentlemen that he had authority from Washington.

Mr. SPANN. That is the fact.

Dr. MOHLER. What were the orders——

Mr. MCLAUGHLIN (interposing). Your communication from Blissfield was of what date?

Dr. MOHLER. If you have a calendar I can tell you, exactly. It was October 28th.

Mr. MCLAUGHLIN. And the official communication to Dr. Bennett from Washington was of what date?

Dr. MOHLER. October 29th, and the closing of the stockyards was on October 31st.

Mr. MCLAUGHLIN. Now, give the date of your communication to him from Blissfield.

Dr. MOHLER (examining calendar). October 28. Col. French, the 25th was a Sunday.

Mr. SPANN. I did not say anything about the 25th.

Dr. MOHLER. I was speaking to Col. French. The 25th was Sunday; Monday was the 26th.

Mr. MCLAUGHLIN. Your communication to Dr. Bennett from Blissfield to Chicago was on the 28th, was it?

Dr. MOHLER. Yes, sir.

Mr. MCLAUGHLIN. Do you remember the hour of the day?

Dr. MOHLER. Some time in the afternoon. This Blissfield herd was about 8 miles away from Blissfield, and when I came back to Blissfield to luncheon I left a long-distance telephone call for him. It was several hours afterwards before I could get the Chicago office—I should say about 3 o'clock on the afternoon of the 28th.

Mr. HELGESEN. According to the testimony, the exhibitors were refused permission to take their cattle out of Chicago on the 28th of October, while the ordinary quarantine was not in force until the 29th.

Mr. SPANN. What was Thursday?

Dr. MOHLER (examining calendar). The 29th.

Mr. SPANN. It was on Thursday, the 29th.

Mr. ANDERSON. It was Thursday the 29th, instead of Thursday the 28th, then?

Dr. MOHLER. There is absolute agreement between us, you see.

The CHAIRMAN. Do you gentlemen agree to the 29th of October as the date?

Mr. SPANN. I do.

The CHAIRMAN. Do you, Col. French?

Mr. FRENCH. It was Thursday. That was the important point.

Dr. MOHLER. I did not change my dates, although Col. French told me the 25th of October was Monday; I had in mind that the 26th was Monday; but I took Col. French's statement that it was not.

Mr. SPANN. In my original testimony I gave the days of the week instead of the days of the month. That was on Thursday.

Mr. ANDERSON. I would like to go back a little in order to get into the record something about the long letter that you referred to from Dr. Fess.

Dr. MOHLER. No; Dr. Schaffter.

Mr. ANDERSON. Well, Dr. Schaffter. What was the date of that letter—September 3?

Dr. MOHLER. No; it was in October. He made his investigation about the 6th or 7th and went back to Detroit from Niles, and wrote the letter. He sent the letter to Washington, and we received it October 10.

Mr. ANDERSON. Could we have a copy of that letter for the record?

Dr. MOHLER. Yes, indeed.

(The letter referred to is as follows:)

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Local office, 408 Post Office Building, October 7, 1914.

CHIEF BUREAU OF ANIMAL INDUSTRY,
Washington, D. C.

SIR: On Monday, October 5, Dr. G. Dunphy, State veterinarian, Mr. H. H. Halliday, president of Michigan State Live Stock Commission, and myself proceeded to Niles, Mich., to further investigate the outbreak of the disease affecting the mouths and feet of cattle and swine.

Since the disease was first investigated by Drs. Dunphy and Fess about one month ago, when the malady first made its appearance in two herds, it has spread to six additional herds in the neighborhood, having affected all the cattle in each herd except one animal in a herd of 21 cattle.

On four farms the swine became affected. On the evening of October 5 Dr. Dunphy received information from a veterinarian at Buchanan, Mich., which is about 6 miles from Niles, Mich., that there were four herds in that vicinity affected with the disease.

We visited the eight herds near Niles, which were confined in an area of about 2 miles square, and found that in the majority of the cattle the disease had run its course, as far the lesions in the mouth were concerned, but many of the animals were still lame.

The swine had apparently all recovered from the mouth and feet lesions.

The farm first visited belonged to S. H. Kohn, whose herd of eight cattle had all been diseased. The last cow that became affected, and which showed well-marked lesions, was drooling slightly, with considerable foam at the corners of the mouth. Two ulcerouslike lesions were seen on the end of the tongue, and a similar lesion about the size of a dime on the muzzle.

The tissues between the digits of the two fore and one hind feet showed lesions. Two yearlings showed healing lesions on dental pad and on one hind foot. The disease in this herd had about run its course. There were sheep and pigs on this farm, but up to the present time have not manifested any of the symptoms of the disease.

The second place visited was the farm of Mr. Ballard. He has a herd of 50 cattle, and he reported that every one of these became affected with the disease. A few of the more recently affected animals were examined, and only cicatrices were found in the mouth, but a number of the animals were still lame.

During the progress of the disease in the herd four calves died. The death of three of these Mr. Ballard attributed to the feeding of the milk from the diseased cows. The cows are turned out daily for exercise into the field that is nearly bare of vegetation.

Mr. A. Stock's farm was next visited. He has 2 cows and 13 pigs, which were all reported as having been diseased except one cow, which was found at the time of our visit to have become recently affected. She showed numerous lesions like ulcers on the muzzle and a few erosions on tongue and dental pad. There was an accumulation of foam at corners of mouth, with slight drooling, and a few erosions on teats.

The pigs had apparently recovered. Around the horn of the feet were ridges, such as are seen on feet of animals having had laminitis. The hogs were kept in a lot that was free of any grasses. Drs. Dunphy and Hallman, at the time they were diseased, examined and report them as having shown lesions similar to those found in the cattle.

The next farm visited was that of Mr. J. A. Gilson. He had four cattle—two cows and two calves. One of the cows was convalescent; the others showed extensive involvement of the muzzle. The ulcerouslike areas varied in size from 1 to 3 mm. in diameter. There were several erosions on the dental part and one erosion on the tongue; also lesions on the interdigital space of the fore feet. Two calves were tied to trees in an orchard which adjoined the premises on which the cows were kept. One of the calves showed an irregular outlined erosion just anterior to the dorsal

ridge of the tongue, which was about the size of a silver dollar; also a smaller lesion near the tip of the tongue. Some saliva was escaping from the mouth. The other calf still remained free from infection.

The farm of Mr. Doster was next visited. There were 7 cattle and 10 pigs on these premises. All these animals were reported as having had the disease. Two of the cows calved about 10 days prior to the termination of the period of pregnancy, and both calves died.

We left this place to go to the farm of Mr. Unrach, where the disease first made its appearance. He has a herd of 21 cattle, and all but one animal are reported to have been affected, six weeks having elapsed since the herd became affected. All the animals appeared to have fully recovered, as was also the case with the cattle belonging to Mr. Hoadly, at the farm next visited. He had six cattle, all of which, he said, had been diseased, and the disease run a complete course in three weeks. The pigs owned by him were also reported as having been affected with sore feet. We visited this farm late Monday evening, having been informed that the pigs were suffering from a recurrence of the disease. Upon our arrival we were told by Mr. Hoadly that he suspected his hogs to be affected with cholera. We returned the following morning and found one of the animals dead and another in a dying condition. A post-mortem examination was made of both cases and the lesions found in each were a massive pneumonia of the cephalic and caudal lobes. Whether this pneumonic condition can be associated with their previous malady is problematical.

Dr. Dunphy secured specimens from these cases for further examination.

We proceeded from this place to the farm of Mr. S. Powden, who reported to Dr. Graham, local veterinarian, that his cattle were suffering with a foot-and-mouth disease. Here I had the opportunity of seeing the disease in its incipiency. One cow, which was first noticed to be affected by Mr. Powden on October 5, had only a slight elevation of temperature, exhaustive lesions on outer surface of under lip, two large vescicles containing a yellowish fluid on the muzzle, the dental pad was extensively involved, and a small area on the mucous membrane inside of the lips. The teats showed numerous red spots. There was evidence of lesions between the claws of one fore foot. Two of the three remaining cows, which next showed symptoms as observed by Mr. Powden, had high temperatures. One cow's temperature was only a fraction less than 106°. They drooled rather profusely. The lesions on the dental pad were extensive. One of the cows showed two erosions on the buccal membrane about 1 c. m. in diameter and one area somewhat larger on the mucous membrane of the lower lip. The other cow showed only slight lesions on the dental pad. The flow of saliva from the mouth was less pronounced. Small red spots were found on the teats of each of these animals. One of these affected areas was about 5 m. m. in diameter.

Mr. Powden was asked if he entertained any idea as regards the cause of the disease among his cattle, and he at once replied that he knew where it came from. He said that Mr. Kahn's cattle broke out of their grazing lot onto his premises on Sunday, September 27. The other farmers expressed themselves as not having any idea of the cause that might be responsible for the outbreak in their herds.

The disease, in all cases, seems to be ushered in by an elevation of temperature, followed by salivation, inappetence, and diminished secretion of milk. The affection of the feet is secondary. Of all the animals examined there was an absence of the small vescicles upon the mucous membrane of the mouth, udder, and coronary band, which characterizes the symptoms of foot-and-mouth disease. On the other hand, the tongue lesions of the calf owned by Mr. Gilson and the mouths of the cows owned by Mr. Powden closely resemble lesions described for animals affected with foot-and-mouth disease. What seems peculiar about these outbreaks is the rapidity with which the disease spreads and its affecting all animals in a herd, and its apparent transmissibility to swine.

On Saturday, September 26, Drs. Dunphy and Hallman secured material from lesions of some of the affected animals, and on Monday, September 28, they inoculated a calf. The injection was made under the mucous membrane, in the supra-anterior portion of the dental pad. Thursday, October 1, the calf showed a temperature of 106.7°. On the morning of October 2 its temperature was 105.2°; in the evening 105°; on the morning of the 3d it was 104°, and in the evening 102.8°. The animal was noticed to begin drooling October 1. Dr. Dunphy reports the drooling to have been profuse and it continued for 18 hours. Three erosions were found on the tongue, one on the lip and two anterior to the dorsal ridge. At the time Dr. Dunphy last examined the calf the feet lesions had not yet developed.

Three specimens secured from the lesions of affected animals at Niles were forwarded to your address under a separate cover.

Very respectfully,

E. P. SCHAFFTER,
Inspector.

The CHAIRMAN. Now, coming back to October 29, I understand that on that date these exhibitors at the National Dairy Show were notified that the cattle were being detained; is that a correct statement?

Dr. MOHLER. On October 29?

The CHAIRMAN. Yes; on October 29.

Dr. MOHLER. No, sir; not that they were being detained.

The CHAIRMAN. That they were being observed?

Dr. MOHLER. That they were being observed. Bennett was advised to get in touch with Dr. Dyson immediately; urging him to hold cattle in dairy show until November 7 for observation.

Mr. HAWLEY. That means detention—"hold."

Dr. MOHLER. We had no power to hold them until——

Mr. HAWLEY (interposing). Would he not take that to be authority from the department to detain them—"hold"?

Dr. MOHLER (reading). "Urge him (Dyson) to hold." We did not say it was mandatory.

Mr. ANDERSON. Who was Dr. Dyson?

Dr. MOHLER. The State veterinarian of Illinois. We say "Get in touch with Dyson immediately."

The CHAIRMAN. And urge him to detain the cattle.

Dr. MOHLER. We could not slaughter that herd. I repeat, Dr. Dyson was the only man who could legally slaughter the herd. We had no control, further than to prevent them from crossing the State line; and they were under the jurisdiction of the State of Illinois. This telegram does not say there was anything mandatory about it; it was simply to "urge him to hold cattle." It does not say to have Dr. Bennett hold them.

Mr. FRENCH. Is it not a fact that Dr. Bennett could prevent those people from shipping those cattle across the State line?

Dr. MOHLER. Not on October 29.

Col. FRENCH. Well, that is our contention.

Dr. RAMSAY. He could not hold them until they went across the State line?

Mr. HELGESEN. What was the date of that?

Dr. MOHLER. October 29. The other telegram was asking for acquiescence on the part of the management of the dairy show; it was written the same date to the same man, Dr. Bennett:

> Endeavor to make arrangement with management National Dairy Show to hold all animals until November 7 for investigation contagious disease. Wire answer.

Mr. HAUGEN. What was the date of that?

Dr. MOHLER. October 29, the same date as the other.

The CHAIRMAN. Do you interpret that to mean that you had to get the acquiescence of the management of the dairy show before you could hold these animals?

Dr. MOHLER. No, but we wished their assistance; that was the mild one. The other one put it up to Dr. Bennett to get in touch with Dr. Dyson to urge him to hold the animals.

The CHAIRMAN. What answer did the mangement of the dairy show make to that first telegram?

Dr. MOHLER. There is no information here [indicating] from the exhibitors at all. They can tell you about that better than I can.

Mr. HAUGEN. When did you authorize Dr. Bennett to hold these cattle?

Dr. MOHLER. On October 29 we wired him to have the State hold them.

Mr. HAUGEN. You authorized him to hold them then?

Dr. MOHLER. The telegram does not say that.

Mr. HAUGEN. When did you communicate with the doctor over the telephone?

Dr. MOHLER. October 28.

Mr. HAUGEN. And you told him then to keep his eye on them?

Dr. MOHLER. Yes; to keep his eye on them.

Mr. REILLY. Your information is that you did not authorize him to hold them; simply told him to urge the State Veterinarian of Illinois to hold them?

Dr. MOHLER. Yes. Here [indicating papers in witness's hand] is the only thing I can stand by, the telegram.

Mr. REILLY. Is it a fact that you did advise him to hold them? Could you do that?

Dr. MOHLER. We could only quarantine them at the State line.

Mr. REILLY. Well, that is the same thing.

Dr. MOHLER. They could have been sent to any other point in Illinois, but we could have quarantined them in the dairy show barn, so far as interstate shipment is concerned.

Mr. ANDERSON. Did you not do that?

Dr. RAMSAY. Not until October 31.

Dr. MOHLER. Not until October 31, when the stockyards were quarantined; that included the dairy show herd.

Mr. HAUGEN. But Dr. Bennett held them before that, on the order sent by you or by the department, did he not?

Dr. MOHLER. He and Dr. Dyson together did; the cattle were held there. The telegram here [indicating] shows it was in conjunction with the State veterinarian.

Mr. HAUGEN. But I believe the testimony here before the committee is that Dr. Bennett held them.

Mr. HAWLEY. Dr. Dyson held them within the State of Illinois, and Dr. Bennett held them as to shipment out of the State of Illinois.

Mr. HAUGEN. Dr. Bennett would have to cooperate with the State veterinarian?

Dr. MOHLER. They were cooperating.

Mr. HAUGEN. The question is this: Were the cattle detained on the 29th of October?

Dr. MOHLER. On the 29th; yes, sir.

Mr. HAUGEN. Actually detained?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. And no quarantine was issued until the 31st?

Dr. MOHLER. The quarantine was issued on the 31st; yes, sir.

Mr. HAUGEN. There was evidently a misunderstanding between Dr. Bennett and the department; but there is no question about the cattle having been detained on the 29th; and the contention being made here by these gentlemen is correct?

Dr. MOHLER. I do not know what their contention is.

Mr. HAUGEN. Well, that the cattle were detained and that they asked permission to ship the cattle home——

Mr. REILLY. On the 29th?

Mr. HAUGEN. On the 29th; and no quarantine issued until the 31st?

Dr. MOHLER. When was the show over? I believe the show was not over until the 31st, and I doubt very much if these gentlemen would have been willing to take their cattle home on the 29th. That would indicate that the show did not extend beyond the 28th.

Mr. FRENCH. We asked permission on the 29th; and the dairy show would have been closed on the 29th, if that permission had been granted. We asked permission, and Dr. Bennett absolutely refused permission to allow the animals to cross the State line into Iowa.

Mr. HAUGEN. On what date?

Mr. FRENCH. On the 29th.

The CHAIRMAN. While you are on your feet, Col. French, let me ask you this question: When this telegram from the department reached Dr. Bennett asking him to get in touch with you gentlemen of the dairy show to arrange some method of observing your cattle, or detaining them, whatever it may have been, what was the answer of you gentlemen to that?

Mr. FRENCH. A request to be allowed to ship our animals home.

Mr. HAUGEN. You are positive about the date?

Mr. FRENCH. It was Thursday, the 29th.

Mr. HAGUEN. You are positive?

Mr. FRENCH. Yes.

Mr. REILLY. You are positive that it was a wise order to prevent you from shipping the animals home?

Mr. FRENCH. We have had the knowledge that it was.

Mr. REILLY. You did have the knowledge that it was?

Mr. FRENCH. I now think it was a wise provision.

Mr. REILLY. Then I do not see what complaint you have.

Mr. HAUGEN. But you are complaining about the discrimination, are you not?

Mr. FRENCH. The discrimination between us and the stockyards.

Mr. REILLY. Well, that does not affect the issue; because there was other cattle going out that might spread the disease does not justify your cattle going out.

The CHAIRMAN. I want to ask Dr. Mohler a question on that very point. Did you allow no shipments of other cattle out of the Union Stock Yards on October 30?

Dr. MOHLER. Yes, sir; the order did not go into effect as to the Union Stock Yards until the 31st. But I want to explain the difference.

The CHAIRMAN. I wish you would do so.

Dr. MOHLER. The National Dairy Show was visited by hundreds and thousands of people from all quarters—not only from this country, but from foreign countries. I could not begin to describe the number of people, farmers and stock owners, that went into that dairy show barn; and the danger of those people bringing in infection from Indiana and Michigan was much greater to the National Dairy Show herd than it was by people walking around the open cattle pens in the Union Stock Yards. We considered the danger from the human element in the National Dairy Show herd far in excess of the cattle element, either in the National Dairy Show herd or the Union Stock Yards; and we were taking precautions against that human element, not the cattle.

The CHAIRMAN. What precaution did you take in the way of disinfecting your cars, and such other precautions as you did take with

respect to those cattle that you permitted to be shipped out of the Union Stock Yards on October 30? Did you take any precautions?

Dr. MOHLER. Yes, sir; Dr. Mosher went into the Chicago Stock Yards from Blissville on the 29th of October and traced out those cars that had been carrying out stock since October 15, and had the railroad companies take them to their disinfecting places, like Elkhart, to be disinfected. Dr. Bennett wired all cars would be disinfected beginning October 29.

The CHAIRMAN. You permitted no car to go out of the Union Stock Yards until it had been thoroughly disinfected, on the 30th of October?

Dr. MOHLER. Yes, sir; that is true. Dr. Mosher did not get into Chicago until the 29th, and Bennett wired us that day that, as requested in our telegram of October 29, already submitted, disinfection of all cars began that same day.

The CHAIRMAN. Well, you knew on October 29, and prior to that date, as far as that is concerned, that there had been infection in the stockyards?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. And on the 30th you permitted cattle to be shipped out of the stockyards?

Dr. MOHLER. On the 30th this order [indicating] was in process of being sent out; we had to have our stenographers write it out and the solicitor review it. Then it went through the secretary's office, and it took effect the next day. That is the history of this order.

The CHAIRMAN. You do not catch my point. The point is, that having the information on the 29th that the Union Stock Yards had been infected, having traced the disease from Michigan back into the stockyards, I am trying to find out if you took any precaution as to the cattle shipped on the 30th to prevent the spread of the disease? Do you catch what I am trying to bring out? Did you disinfect them; did you disinfect the cars; did you make them ship in sealed cars?

Dr. MOHLER. We had no control on the 30th; but the railroads willingly complied with our request of October 29 to disinfect all cars. We had no authority to make them disinfect cars until we could prove that they were exposed, and we had to give them certain notice, according to law. We were complying with that law, which required an interval between the time we found the disease in Blissville and the time of the issuance and the effectiveness of this order.

The CHAIRMAN. Now, on the 29th you detained the dairy show stock; why did you not have the same authority to detain the stockyards stock on the 30th?

Dr. MOHLER. Well, as I stated before, it had the effect of retaining them; but we were working in cooperation with the State. It was the State that we wanted to detain the dairy show herd.

The CHAIRMAN. Is it your contention that all stock that left the Union Stock Yards on the 30th of October were for interstate shipment, and therefore you had no authority over them until the quarantine had been declared?

Dr. MOHLER. That is my contention; we had no authority over them until we complied with the law, and had the notice sent out, and had the stockyards people and the railroads note the time of the effectiveness of the order.

Mr. REILLY. When you sent that telegram to your Chicago man, you proceeded at once to get out regulations for a quarantine, did you?

Dr. MOHLER. Yes, sir.

Mr. REILLY. And just as quickly as you could?

Dr. MOHLER. Yes, sir.

Mr. REILLY. Your Chicago man, with the State authorities, applied that as a quarantine of the dairy show cattle as soon as he got it?

Dr. MOHLER. Yes, sir.

Mr. REILLY. And the order as to the stockyards was gotten out as soon as it could be?

Dr. MOHLER. Yes, sir; as soon as it could be.

The CHAIRMAN. This is the whole situation, it seems to me: Did the veterinarian of the State of Illinois detain any cattle other than these dairy show cattle from shipment either on the 29th or the 30th of October?

Dr. MOHLER. Not that I know of.

The CHAIRMAN. Not that you know of?

Dr. MOHLER. No, sir.

Mr. YOUNG. Just one question: Were any of those cattle that were shipped out on the 29th or the 30th shipped into interstate commerce?

Dr. MOHLER. I presume they were.

Mr. HAUGEN. They were free to ship until the 31st?

Dr. MOHLER. They were free to ship until the 31st.

Mr. HAUGEN. There were no restrictions whatever except as to the dairy-show herd, and that was not by the authority of the department; it was simply that this man Dr. Bennett assumed that authority, probably through some misunderstanding.

Dr. MOHLER. Yes.

Mr. REILLY. He considered that to be a quarantine, and put it into effect?

Dr. MOHLER. Apparently.

Mr. HAUGEN. There is no question about that, is there?

Dr. MOHLER. No, sir.

Mr. HAUGEN. The herd was detained on the 29th?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. And the other cattle were permitted to be shipped out without any restriction whatever?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. Not by the department, but by an employee of the department exercising that authority?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. I do not understand that to be Dr. Mohler's statement. Let me put the proposition again: Your contention is that on October 30, because of the fact that the quarantine had not been issued, you had no authority to detain cattle shipped from the Union Stock Yards?

Dr. MOHLER. That is correct.

The CHAIRMAN. That is correct?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. And that on the 29th the dairy show herds were detained upon the order of the veterinarian of the State of Illinois?

Dr. MOHLER. Yes, sir; that is right.

Mr. HAUGEN. No; not the State of Illinois. The statement is that it was by Dr. Bennett, who represented the department.

Dr. MOHLER. Well, they were working together. As this telegram [indicating] shows, we asked Dr. Bennett to urge Dr. Dyson, State veterinarian of Illinois, to hold those cattle; and they worked in harmony. What orders went out from the Illinois office I could not say.

Mr. ANDERSON. You recognized when you sent that telegram that you did not have authority to quarantine, and you were asking the State veterinarian to do it?

Dr. MOHLER. That is why it was sent in this form.

Mr. REILLY. If your telegram to Dr. Bennett could have carried a quarantine in the first instance, would it have carried it?

Dr. MOHLER. It could not.

Mr. REILLY. But if it could?

Dr. MOHLER. I suppose it would have, yes.

Mr. REILLY. You went as far as you could at that time?

Dr. MOHLER. That is absolutely true.

Mr. REILLY. And he, of his own motion and discretion, put the quarantine in effect; and you closed it the next day or so with the regular quarantine of the department?

Dr. MOHLER. I will not say it was at his own discretion.

Mr. REILLY. Yes; but he did do it; and the fact of the matter is that he did the right thing under the circumstances, as the gentleman here [indicating] admits.

Mr. HAUGEN. Were the cattle detained by Dr. Bennett, or by the State veterinarian? Dr. Mohler says by the State veterinarian, and the gentlemen here say by Dr. Bennett. Dr. Bennett represented the department.

Dr. MOHLER. Dr. Bennett would not let them go without the State, and Dr. Dyson would not let them go within the State.

Mr. HAUGEN. Then you agree that the cattle were detained by your representative?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. Prior to the quarantine?

Dr. MOHLER. On October 29.

Mr. HAUGEN. And that was without the authority of the department, and without the authority of law? The department is not to blame for that, because they have thousands of people employed all over the country.

Dr. MOHLER. Well, I think that is true.

Mr. MOSS. Here is a question I want to settle, whether or not the telegram to Dr. Bennett from the department gave him authority to quarantine this herd. It does not make any difference what he did; the question is what authority the Department of Agriculture conferred upon Dr. Bennett by this telegram.

Dr. MOHLER. The Solicitor is here and can answer.

Mr. MCLAUGHLIN. He is here himself and can answer.

Mr. HAUGEN. No authority could be conferred; but the injustice was done.

Mr. HAWLEY. Suppose that in the matter of these dairy-show cattle, on the 29th or 30th of October—the 30th—the dairymen had made an arrangement with the State veterinarian that, so far as he was concerned, he would not object to their moving the cattle if the

them in sealed cars and shipped them out of the State of Illinois at once, would you have held Dr. Bennett, under your telegram, to have been remiss in his duty if he had allowed them to go into interstate commerce?

Dr. MOHLER. No, sir; he could not have been held responsible; we could not have made him responsible on the wording of that telegram.

Mr. REILLY. But if you had had the power then and there to hold them, you would have stopped them from going out?

Dr. MOHLER. We would have stopped them, and this [indicating] is as near that power as we could get.

Mr. HAUGEN. You would have stopped not only the dairy-show herd, but them all?

Dr. MOHLER. No, sir; for two reasons. I explained that the danger in the case of the dairy herd was much more, from the human element, with so many thousands of visitors, and also because these cattle were returning to the finest dairy herds in a large number of States.

Mr. HAUGEN. You agree that there was discrimination, but that was the reason for it?

Dr. MOHLER. I do not agree that there was any discrimination by the department.

Mr. REILLY. The gentlemen claimed that there was discrimination after the order was issued, in defiance of the order.

Mr. HAUGEN. The discrimination occurred between the 29th and the 31st, if there was a discrimination.

Dr. MOHLER. That is a point——

Mr. HAUGEN (interposing). That occurred at that time, and there was a reason which he gives.

Mr. SPANN. Dr. Mohler says that there was more danger from the dairy show than from the Union Stock Yards; yet he says the infection was traced back to the Union Stock Yards; and I think he admits that on the 28th, 29th, and 30th there was no disease in the cattle in the dairy show.

Dr. MOHLER. Yes, sir; it was in there, because the first cow showed symptoms on the 1st of November; and that is proof positive that infection was in the barn on the dates mentioned.

Mr. SPANN. Well, do you not think that was a long period of incubation?

Dr. MOHLER. No, sir; not in this particular outbreak; no animal at that time came down with such a short period of incubation. We were then dealing with the disease in a very mild form. The dairy show people will state that their herd was affected by a very mild form of the disease, and mild forms generally run to a long period of incubation.

Mr. SPANN. You knew that they had it in the Chicago Stock Yards, did you not?

Dr. MOHLER. The first animal in the Union Stock Yards infected was a Holstein cow of the National Dairy Show herd; and two days after that the feeders in this bunch of 616 that were held in quarantine by the order of October 31 developed the disease. These feeders are now buried in the Union Stock Yards under 7 feet of soil.

Mr. SPANN. But these cattle shipped out on the 19th had the disease, and you evidently knew that.

Dr. MOHLER. As I explained, there were two conditions possible, either an infected car or infected yards—and nobody knows to-day which it was. We suppose now that it was infection in the yards.

Mr. HELGESEN. I understood you to say that on the 15th of October you sent a night letter to the department?

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. That there were herds with symptoms of foot-and-mouth disease at Niles?

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. And what was the date of the long letter about which Mr. Anderson asked?

Dr. MOHLER. I could not tell you the date, but it was received on October 10—Saturday afternoon.

Mr. HELGESEN. Mr. Anderson has called for the original letter.

Dr. MOHLER. Yes; that will be produced.

Mr. HELGESEN. As I understand, in that letter there was reference to the fact that there were symptoms of foot-and-mouth disease in Niles, Mich.?

Dr. MOHLER. It was stated in there that there were reasons why the disease could be foot-and-mouth disease, and other reasons why it could not.

Mr. HELGESEN. And that was on the 15th of October that you sent a night message that it was foot-and-mouth disease, and that was received on the 16th by the department?

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. Now, do you hold that if Dr. Bennett refused to allow these cattle to be put in sealed cars and shipped out of the State that was in excess of his authority? You say he did not have any authority on the 29th?

Dr. MOHLER. No, sir; this [indicating paper in witness's hands] was the nearest authority we could give him under the conditions.

Mr. HELGESEN. Then, if he refused on the 29th he exceeded his authority in doing so?

Dr. MOHLER. He was working in harmony with the State.

Mr. HELGESEN. I understand.

Dr. MOHLER. There was no pressure brought to bear by the exhibitors. There was none until the desire to slaughter one or two of the animals came up. Before that there was no difficulty.

Mr. HELGESEN. But the statement has been made that they asked permission to ship the cattle out on the 29th, and permission was refused by Dr. Bennett. Now, you say he did not have authority, and if he did do that he exceeded his authority, as to interstate shipments?

Dr. MOHLER. I do not know how I can explain it more clearly than I have done.

Mr. HELGESEN. Well, did he have any authority to refuse to allow those cattle in interstate shipment on the 29th?

Dr. MOHLER. No, sir; no authority. There are certain conditions that have to be carried out before it is legal, and a telegram of this kind can not be considered a legal order establishing a quarantine. The chief of the bureau can not cause an interstate quarantine to be issued on a telegram.

Mr. HELGESEN. Can not the Secretary telegraph legal authority?

Dr. MOHLER. I will leave that to the Solicitor; I am not a la-

The CHAIRMAN. Let me put into the record the law on the subject:

That the Secretary of Agriculture is authorized and directed to quarantine any State or Territory or the District of Columbia, or any portion of any State or Territory or the District of Columbia, when he shall determine the fact that cattle or other live stock in said State or Territory or the District of Columbia are infected with any contagious, infectious, or communicable disease.

(Thereupon, at 12.30 o'clock p. m., the committee took a recess until 2 o'clock p. m.)

AFTER RECESS.

STATEMENT OF DR. J. R. MOHLER—Continued.

The CHAIRMAN. Dr. Mohler, I think we had gotten to October in your testimony this morning, and we had about exhausted the question of discrimination between the different classes of cattle. Will you carry your statement a little further on until you get to the point where the quarantine was made effective and for a few days after that; what happened?

Dr. MOHLER. I believe, Mr. Chairman, I had reached the point where the inspectors were being sent out, looking after the stockers and feeders that had left the Chicago Stock Yards after the 15th of October. As fast as they traced these animals to their different points of destination the disease started to be uncovered in the various States.

Mr. HAUGEN. Dr. Mohler, Mr. Helgesen asked one question which I do not believe was answered. It has been attempted to prove that Dr. Bennett exceeded his authority in what he did in holding the stock. Is that admitted—that the stock was held or detained by Dr. Bennett? Do you concede that point—that he detained the stock without authority? Did he exceed his authority? I think that is a matter that ought to be cleared up.

Dr. MOHLER. I thought I made that plain, that no telegram would have the effect of a quarantine.

Mr. HAUGEN. There might be a question of whether the stock was detained by Dr. Bennett; that is, by authority from the department.

Dr. MOHLER. The State of Illinois had control of the local situation.

Mr. HAUGEN. I do not think it is fair to bring in the State of Illinois in this matter, because Dr. Bennett had the same jurisdiction over interstate shipments.

Dr. MOHLER. That is true.

Mr. HAUGEN. All these were interstate shipments, as I understand it. They went beyond the State line, and the only one that could exercise authority in that event would be Dr. Bennett.

Dr. MOHLER. Not entirely. A number of those cattle belonged to Illinois farmers.

Mr. HAUGEN. But take those outside of the State shipments. Let us consider those shipments that went outside of the State, the interstate shipments.

Dr. MOHLER. There were some interstate shipments.

Mr. HAUGEN. These people testify the stock was detained by Dr. Bennett. Your telegram showed he had no authority, and if he did detain the stock he there exceeded his authority.

Mr. McLAUGHLIN. But this witness says he does not know of his personal knowledge what Dr. Bennett did at that time, and as to the legal question, he prefers the solicitor of the department, who is here, to answer that instead of himself.

Mr. HAUGEN. I do not ask that he pass on the legal question, and I do not bring this up to the embarrassment of the department, but it is one question that ought to be cleared up.

Dr. MOHLER. Dr. Bennett had absolutely no authority to quarantine the herd.

Mr. HAUGEN. If it is not admitted, it would be nothing more than fair that these gentlemen here would be permitted to introduce additional evidence. There were some 25 people present at the time, as I understand, and undoubtedly if the testimony of these two gentlemen can not be accepted, then they ought to be permitted to introduce further evidence.

Mr. Moss. Do you take the position that Dyson could not have prevented the shipment of these dairy cattle away from Chicago, even though they had been intended to go into interstate shipments?

Mr. HAUGEN. That is not a question that is involved here. The question is, Did Dr. Bennett detain these cattle?

Mr. Moss. I understand you take the position that if the cattle were held at Chicago, they necessarily had to be held there by Dr. Bennett, because of the fact they were going in interstate shipments. The question I am bringing up is, Would not Dyson himself have the authority to hold these cattle there, and refuse, on the part of Illinois, to permit them to be shipped away from there, even if they were going in interstate shipments?

Mr. HAUGEN. The question for us to determine is, Who held the cattle?

Mr. ANDERSON. The only testimony in the record, so far as I can recall, is that these gentlemen say they asked Dr. Bennett whether he would permit them to ship their cattle home, and he said he would not. That is all there is to it. Nobody can dispute that except Dr. Bennett; and he is not here.

Mr. HAUGEN. If you do not accept the statement of these gentlemen, will it be necessary to introduce additional evidence? It seems to me that is the sole way of ascertaining, if you do not know whether the stock was detained by Dr. Bennett.

Mr. McLAUGHLIN. As to the department accepting it, we want to know whether that statement is true or not. I am not reflecting on the statements made by these gentlemen, but if any doubt arises in our minds as to the correctness of the statement, we would not take it from Dr. Mohler; we would take it from Dr. Bennett, who was present and made the statement himself.

Mr. HAUGEN. So far we have only ex parte evidence.

The CHAIRMAN. No; I think not. I think, as far as the department itself is concerned, their documentary evidence shows that whatever Dr. Bennett did before the 31st day of October was done upon his own initiative, although the telegrams and letters of the department suggested to Dr. Bennett a code of procedure under the laws of the State of Illinois.

Dr. MOHLER. Precisely. That is absolutely correct, and that is all the Department of Agriculture can do. It has control over interstate shipments solely.

Mr. HAUGEN. The State authority has nothing to do with these shipments. That comes absolutely under the jurisdiction of the Department of Agriculture, and there is a difference between State and interstate shipments.

Mr. ANDERSON. If they could not leave the barn they could not go into any shipment, either State or interstate.

The CHAIRMAN. The point I make is this: That until the quarantine is declared by the Secretary of Agriculture, whatever Dr. Bennett may have done was beyond his power in view of the documentary evidence which the department has presented this morning; and even though the department had commanded him to do these things, he could not, under the law, have done them until the quarantine was declared effective.

Mr. MCLAUGHLIN. That is clear enough; but if we are going to go further than the statements of these gentlemen as to what Dr. Bennett did, we must get that information from Dr. Bennett himself. This witness can not tell anything about that. He has told us of the documents issuing from the Department of Agriculture to Dr. Bennett. We know the force and effect of those as well as anybody does.

The CHAIRMAN. Certainly.

Mr. MCLAUGHLIN. But I submit this witness can not tell what Dr. Bennett did.

Mr. HAUGEN. Then I suggest that the chairman direct a telegram to Dr. Bennett and ask the question point blank, and let us know what he says.

Mr. REILLY. I suggest that this testimony, as it seems to me, is entirely irrelevant, because there is no one seriously contesting the wisdom of Dr. Bennett's action. The gentlemen appearing here from Iowa have admitted the proper thing was done. What is the use of going into that matter as to why he did it?

Mr. MCLAUGHLIN. On that point, Mr. Chairman, I think it is not unfair to say that Col. French stands alone on that proposition. In his judgment the cattle should have been held there. The gentlemen associated with him differ from him. He is practically the only one who thinks the department acted exactly right.

Mr. HAWLEY. I suggest that Mr. McLaughlin ask that question of Col. French and get his statement in the record in reference to that matter from Col. French.

Mr. REILLY. But you have it; it is on the record twice already.

Mr. MCLAUGHLIN. What have you to say on that proposition Col. French?

Mr. FRENCH. My statement is, Mr. Chairman, in view of the fact that agents of the Department of Agriculture knew that the foot-and-mouth disease was so prevalent, and which the owners did not know, that they were justified in keeping the cattle. That is my own opinion. That is my opinion about it. My opinion on the 29th day of October was that it was an outrage, because I had not the knowledge which the department had. Gentlemen, I am trying in every way that I can not to cast any reflection upon the Department of Agriculture, and any reflections that have been made on Dr. Bennett have been simply the facts to prove our case. My associates do not agree with me on the proposition that the department acted right even at that time.

Mr. HAWLEY. Do any of them agree with you on that point?

Mr. FRENCH. None of them.

The CHAIRMAN. You do not agree with that, Mr. Spann?

Mr. SPANN. No, sir. I think they acted as they thought was best, but I do not agree that it was best. At that time there was no infection that we knew of, and the further fact is that when infection did break out, there was one cow in a remote, far end of the barn, and that would have been the only animal that would have been infected if the cattle had been shipped home.

Mr. REILLY. Do you think all of the cattle should have been let go at that time?

Mr. SPANN. I think so.

Mr. REILLY. Were there not other cattle near that cow that was infected?

Mr. SPANN. That cow was not infected at that time, as far as anybody knows.

Mr. REILLY. It came out a few days afterwards?

Mr. SPANN. Yes.

Mr. REILLY. Are you prepared to swear there would not any danger have come from letting this animal go out?

Mr. SPANN. Nobody could do that.

Mr. REILLY. Was it not a wise precaution to keep them there?

Mr. SPANN. In my opiniom it was a mistake. They thought it wise, and I may be mistaken.

Mr. REILLY. Why was it necessary for your State agricultural secretary to guarantee to take the cattle out in sealed cars?

Mr. SPANN. As a precaution against any outbreak at all.

Mr. REILLY. Why not leave them where they were to guard against infection, and as a precaution?

Mr. SPANN. Because, in agreement with me and others, the gentlemen believed these cattle had the disease, and if you brought them home they would be all right, and it was just an excuse of caution in case they did have it.

The CHAIRMAN. If you had had at that time the information that Dr. Mohler and the officials of the Department of Agriculture had at that time, would you have thought it wise to have released these cattle and send them broadcast over the country?

Mr. SPANN. Yes, sir; I would. I do not think there was any danger. They evidently did not think there was any danger, because they left the feeding cattle go out after that.

The CHAIRMAN. Proceed with your statement, Dr. Mohler.

Dr. MOHLER. In connection with what has been said, I would like to read a telegram from Dr. Bennett, dated on the 4th of November. That was three days after the first cow showed lesions:

Eleven show cows affected. One with new herd.

These cattle would not have reached Kentucky or whatever distant State they came from before they would have shown the disease.

Mr. REILLY. What was the date of that telegram?

Dr. MOHLER. November 4.

Mr. SPANN. If they had been let out on the 29th, they would have reached home.

Dr. MOHLER. No, sir; the period of incubation of the disease at that time was much longer than that. You would have carr-

diseased cattle to the best dairy herds of the country. There is as much danger to your valuable home herds as there is to any other kind of a herd, and these cattle that were going to be disbanded and sent all over the country would have carried infection to other herds worth a millon dollars. There was a great deal more danger of taking the infection back to this very fancy dairy stock than there was from letting the cattle remain in the Union Stock Yards and go to slaughter or go as feeders and breeders.

Mr. SPANN. I may possibly be mistaken about that, of course.

Dr. MOHLER. If you took the cattle home and infected your Kentucky herd, your home herd would be in the same condition as your herd in the dairy show?

The CHAIRMAN. After all, that is a matter of opinion and individual judgment.

Dr. MOHLER. Certainly.

The CHAIRMAN. Proceed with your statement, Dr. Mohler.

Dr. MOHLER. In connection with these telegrams read this morning with reference to quarantine of the dairy show herd in the stockyards, I find another telegram that is dated the following day, October 31, addressed to Dr. Dyson, which further shows the department's attitude. This was to the State veterinarian, Springfield, Ill.:

Order quarantining Chicago yards will be issued to-day. Request you to hold cattle in dairy show until November 7, for observation. Important all these animals be known to be healthy before disbanding.

The following day the first cow in the dairy show developed the disease. This is merely to further substantiate the telegrams I read this morning.

The CHAIRMAN. You are confirming the position of the department all the way through, that it had been acting through Dr. Dyson under the authority of the State law?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Until your quarantine was declared on the 31st of October?

Dr. MOHLER. That is precisely the point I wish to make.

The CHAIRMAN. All right, Doctor; go ahead.

Dr. MOHLER. The next quarantine order was issued on November 2, and in this quarantine order the entire States of Indiana and Michigan, as well as those of Illinois and Pennsylvania, were included, and the quarantine orders proceeded. I do not know whether you want to know the exact dates of these various quarantine orders for the different States?

The CHAIRMAN. It would not be a bad idea to put them in the record. I do not know, however, that you need to read them.

Mr. ANDERSON. You do not want to put all those statements in the record, do you, Mr. Chairman?

The CHAIRMAN. No; not the statements, but the dates of the statements and what they refer to.

Dr. MOHLER. On November 4 Maryland and New York were quarantined, on November 5 Wisconsin and Ohio, on November 6 Iowa and Massachusetts, on November 9 Delaware, New Jersey, and Rhode Island, on November 10 Kentucky, on November 16, Connecticut and Montana, on November 27 Loudoun County, Va., December 1 counties in New Hampshire, and on February 1 four counties in Kansas.

To merely illustrate the intensely contagious character of this disease I would like to refer to the outbreak that occurred in the State of Kansas as late as February 1. Twenty-six Holstein cattle, originated at the State asylum at Fond du Lac County, Wis., a county that has never been infected and a herd that never had any opportunity of becoming exposed. When those 26 Holstein cattle reached Chicago to be transferred from the Northwestern Railroad to the Santa Fe, it was found that the proper health certificate had not been obtained from the State authority, and the stock had to wait there 34 hours until the owner obtained the proper health certificate from Wisconsin. During these 34 hours he visited the Chicago Stock Yards and went back to his car, and eight days after the animals arrived at southwestern Kansas, the disease broke out among them. Now we have the State of Kansas infected.

Mr. REILLY. Is there any of that disease in Wisconsin at all?

Dr. MOHLER. There are no live animals affected now. The work is in very fine condition in Wisconsin and has been since Christmas Indiana and Michigan are in the same fine condition.

Mr. COOPER. There was a new case broke out in the county of Rock on the 29th of December.

Dr. MOHLER. Yes; that is true. There have been several new cases, but the condition is very good, and we are releasing counties right along in the State of Wisconsin.

The CHAIRMAN. Dr. Mohler, before we took the noon recess, you made some suggestion that an injunction had been gotten out by somebody in reference to the killing of these cattle in the stockyards or somewhere else. What was that?

Dr. MOHLER. It was not quite that, Mr. Chairman. I said there was no controversy, so far as we knew, with the dairy show owners about holding the animals there for a period of seven days, or in fact any other objection from the exhibitors, until the Department of Agriculture desired to kill the first few animals that came down with the disease, and then we received a telegram signed by Mr. Goodwin, I believe, an attorney for the exhibitors, in which he said that such procedure would not be permitted.

The CHAIRMAN. Was there ever any intention expressed or thought of by the department with reference to destroying the entire dairy exhibit?

Dr. MOHLER. No, sir; that never was the intention of the department. The order went out first to destroy this first Holstein cow that came down. It was thought that if we could slaughter the first few Holstein animals that had come down with the disease, we would prevent 95 per cent of the virus remaining on top of the ground and causing infection of other animals.

The CHAIRMAN. When your intention in that regard became known, you received this telegram from the attorney representing these people?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. That they would proceed into the courts and prevent your doing it?

Dr. MOHLER. I do not recall just the wording of the telegram, but it was words to that effect, that there would be an injunction ready to be served on the man that would endeavor to lead out the first animal.

Mr. HAUGEN. Who threatened to serve the injunction?

Dr. MOHLER. Mr. Goodwin, I believe his name is.

Mr. HAUGEN. One of the exhibitors?

Dr. MOHLER. No, sir; I believe he is attorney for them.

Mr. HAUGEN. Was he the attorney of one of the exhibitors or all of them?

Dr. MOHLER. I could not tell you that, Mr. Haugen.

Mr. HAUGEN. That has reference to this particular herd?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. These dairy cattle?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Col. French, do you know anything about that?

Mr. FRENCH. Mr. Goodwin is attorney for the Exhibitors Association, and I presume acted with their authority.

Mr. HAUGEN. Has there been any other threat of injunction—I mean throughout the United States?

Dr. MOHLER. Yes, sir. There was an injunction obtained by the farmers of Richland County, Ohio, and an injunction was obtained by some individual in Kane County, Ill. I think it was a Mr. Carpenter, but I do not know positively that that is his name. The Richland County farmers got together and had the judge withdraw the injunction, and the same procedure followed in Kane County, Ill.; so that at present there are no injunctions anywhere so far as I know.

Mr. HAWLEY. Suppose there had been no objection and you had destroyed the first cow that came down with the disease, as others came down with it, if they had, would you have destroyed them?

Dr. MOHLER. We would have followed that policy up to a certain point.

Mr. HAWLEY. What would that point have been?

Dr. MOHLER. That would depend on circumstances and values involved. I could not say.

Mr. MCLAUGHLIN. The first Holstein, you mean?

Dr. MOHLER. Yes. By the way, that Holstein was an animal that stood at the end of the row, where people would naturally come more in contact with her than others in the middle of the row of animals. These Holsteins, of which the one that became infected first was a member, had a large "For sale" sign over them, and they were being exhibited with the view of selling them. A number of people were there mouthing these animals and examining them to see how old they were, and it is not at all difficult to see how infection could be carried. One of the men told me that one of the farmers that had lost his animals in the State of Indiana had been present telling these boys of the dairy show how the Government slaughtered the animals, how they were buried, and how the attendants disinfected themselves, describing the apparatus and methods of disinfection.

The CHAIRMAN. Dr. Mohler, what effect, if any, did this threatened injunction have upon the policy of the department in reference to this situation?

Dr. MOHLER. We did not do anything further. About a week or so afterwards, the delegation of exhibitors reached Washington. Col. French, Mr. Marsh, Mr. Hill, Col. Fairfax, Mr. White, and Mr. Ames were in that delegation, and the question at that time was put up to the department whether we would not allow them to hold those animals

for experimental purposes at their own expense. Col. French has a very commodious horse stable within a mile of the stock yards, where these animals could be taken direct by cars outside the stock-yards section on the railroad tracks and unloaded without any danger into this stable. They were perfectly willing they said to keep the animals under quarantine for a year if necessary to carry out the purposes of the experiment.

Mr. ANDERSON. Let me understand that, Dr. Mohler. You say this committee came to Washington?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. Whom did they see in Washington?

Dr. MOHLER. They saw the Secretary and they saw Dr. Melvin.

Mr. ANDERSON. Were you there?

Dr. MOHLER. I was there when the conversation was had with Dr. Melvin.

Mr. ANDERSON. I think you had better state that conversation as nearly as you can remember it.

Dr. MOHLER. I was called in after the gentlemen had been with Dr. Melvin in his office for probably half an hour, so I can not tell what occurred previous to that time. But the point was presented to Dr. Melvin that this was a valuable herd, containing blood strains, that it would be a terrible hardship to the industry if [illegible] which is absolutely true, if the cattle should be slaughtered. They requested permission of the department to get these animals to a stable where they could be placed under observation to study the character of the lesions and to see how soon the animals would recover, and they agreed to place them under absolute quarantine until such time as the department considered it satisfactory and safe to let them go to their respective States.

Mr. ANDERSON. What was the date of this conversation?

Dr. MOHLER. Some time in November, as nearly as I can remember.

Mr. ANDERSON. It was after the disease had appeared in the herd?

Dr. MOHLER. Yes, sir; it was getting very extensive then. They were coming down at the rate of 10 or more a day.

Mr. ANDERSON. The proposition at that time was to remove the herd from the stock yards to some other place?

Dr. MOHLER. To Col. French's stables, about a mile away from the stock yards.

Mr. ANDERSON. That has since been done?

Dr. MOHLER. No, sir. The City Council of Chicago refused to grant a permit, and they had some complications, so they were not able to move the animals to that particular point. After that they got a lease on a race track out at Hawthorne, farther out of town.

Mr. ANDERSON. Did the department at that time consent to the proposition submitted by Col. French and the committee?

Dr. MOHLER. The department was willing for the experiment to go on under those conditions.

The CHAIRMAN. Do I understand you to say the proposition of Col. French and this committee was that this experiment should be carried on at the expense of these exhibitors?

Dr. MOHLER. Yes, sir; they were willing to go to any expense and to keep the herd under quarantine for a period of time, they as long as a year, if necessary, to carry out the purposes of the ticular experiment.

Mr. HAWLEY. In Col. French's stable?

Dr. MOHLER. In Col. French's stable; yes.

The CHAIRMAN. And without expense to the Government?

Dr. MOHLER. Yes, sir; absolutely.

Mr. REILLY. Dr. Mohler, if you had your way with that herd at that time, what would have been the condition of the herd to-day?

Dr. MOHLER. The Dairy Show herd?

Mr. REILLY. Suppose the owners had turned it over carte blanche to the department, what would have been the condition of the herd to-day?

Dr. MOHLER. We would have treated that herd like the hospital people would have treated children with scarlet fever. We endeavored to do that at the beginning. They had curtains made out of muslin, soaked with disinfectant, and the cattle were divided in small units so that in case one unit became infected, the disease would not be carried to others. The idea would have been to put that herd under hospital conditions, and there is documentary evidence to show that we advised that the herd be placed under such conditions. I think we sent such a telegram to Mr. Skinner, who is in charge of the exhibition there, and to others. There have been a number of scientists visit that place who have commented on the failure to keep the units distinct through laxity of the attendants, but I have not been there. I have not seen the herd at all since it became infected.

Mr. REILLY. Why did not the department take steps at once to put that herd under hospital conditions?

Dr. MOHLER. It did. There are telegrams to show that fact.

Mr. REILLY. You said they were coming down at the rate of 20 a day.

Dr. MOHLER. That was later on, when these gentlemen came to Washington.

Mr. REILLY. Then they were under hospital conditions, were they not?

Dr. MOHLER. No; that was the point.

Mr. REILLY. What prevented the department carrying out this plan?

Dr. MOHLER. The department never took charge of the herd at that time; they had nothing to do with it. It was under the State entirely. We made these suggestions of treating the herd under hospital conditions, but they employed their own veterinarian, who was a deputy State veterinarian. They can tell you the date of that transaction. I think it was about the middle of November. I remember very distinctly that this gentleman whom they employed called up the Washington office by long-distance telephone and wanted to know whether there was any objection from the department's standpoint for him to take charge of the herd, and we said if the State had no objections, we certainly had none.

Mr. REILLY. From your experience, what percentage of the herd would necessarily have been killed?

Dr. MOHLER. I could not tell you that.

Mr. REILLY. What has been the experience of the department's efforts in other herds?

Dr. MOHLER. We never tried it under these conditions.

Mr. REILLY. How many have you killed since the disease broke out in Niles, Mich., last October?

Dr. MOHLER. About 50,000.

Mr. REILLY. Fifty thousand head?

Dr. MOHLER. Yes, sir.

Mr. REILLY. Judging from that experience, what percentage of that herd would you have had to kill?

Dr. MOHLER. The conditions on farms are entirely different from conditions where this herd was. There are no hospital conditions on farms, and under those conditions where we killed these animals it would be merely a short period of time before the entire herd or even another herd would become infected.

Mr. REILLY. Then you had no assurance that if the department had been allowed to take charge of this work they would not have had to kill the whole herd?

Dr. MOHLER. No; not at all.

Mr. REILLY. What is the condition of the herd to-day?

Dr. MOHLER. I do not know. I have not seen the herd since the infection.

Mr. REILLY. Has there not been any valuable information accrued to the Government from this experiment there in trying to save this herd?

Dr. MOHLER. No more valuable information than is obtainable from the experiences of Germany, Switzerland, and France.

Mr. REILLY. Is not that the first experiment you ever had in this country on a laboratory plan of handling this disease?

Mr. MOHLER. Yes, sir.

Mr. REILLY. Has it not been valuable to the department?

Mr. MOHLER. Not up to this point.

Mr. REILLY. Suppose they succeed in saving every member of that herd?

Dr. MOHLER. You suggest a supposition that I can not accept.

Mr. REILLY. The supposition is that to-day the herd is pretty well cleaned up from the disease.

Dr. MOHLER. Not necessarily so; no, sir.

Mr. REILLY. We will assume it. Assume that it is a fact that the herd is saved and that not a single animal dies from the foot-and-mouth disease; has it not been a valuable experiment for the department?

Dr. MOHLER. It may prove to be, but if no other herds can be placed under the same conditions, how should it be valuable to the department?

Mr. REILLY. Is it the first experience you have had in this country?

Dr. MOHLER. Yes, sir.

Mr. REILLY. Is it not a valuable thing to have conducted that experiment successfully in that line?

Dr. MOHLER. Yes, sir.

Mr. REILLY. Then I say that experiment of trying to save the lives of that herd must be valuable to the department and to the science in the treatment of the foot-and-mouth disease. Is not that a fact?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. It would not be any more valuable t
ment than it would be to the cattle breeder, would it, I

Dr. MOHLER. Not that I know of.

Mr. MCLAUGHLIN. Has time enough elapsed so that you can determine whether these cattle have been cured?

Dr. MOHLER. No, sir; it has not. That is the reason I can not answer that question as to the value of the experiment.

Mr. REILLY. I assumed that in my question.

Dr. MOHLER. We have in the foot-and-mouth disease what they call virus carriers, just as in man we have typhoid Marys. People will recover from the cholera, for instance, and spread the disease for a year afterwards; and we have that condition to contend with in foot-and-mouth disease. Here are 750 animals in the dairy show. It is a very good gambler's chance that there is one weak animal among those 750, and it only requires one typhoid Mary among them to infect all the animals that may be susceptible.

Mr. REILLY. These gentlemen appearing for the breeders take the position that they are cured and that they have succeeded in demonstrating that that disease has been eliminated from that herd.

Dr. MOHLER. That is a wrong conclusion.

Mr. REILLY. Time will develop whether that is true or not?

Dr. MOHLER. Yes, sir; and it would be a very valuable experiment under those conditions for that kind of animals, like the dairy show breeds.

Mr. REILLY. And it will also tell the farmer who has a valuable herd of cattle what he can accomplish?

Dr. MOHLER. Yes, sir; and at what trouble and expense.

Mr. REILLY. But it is the general understanding among the farmers that when their herd contracts the foot-and-mouth disease they have to kill them?

Dr. MOHLER. Yes, sir.

Mr. REILLY. And now they will have some hope of cure for them if they get the right conditions?

Dr. MOHLER. The cure of the foot-and-mouth disease is not a very difficult proposition. This herd does not prove that, however. Herds have been cured in all countries.

Mr. MCLAUGHLIN. What about the latent effect and the afterclap of this disease? Does it affect the animal?

Dr. MOHLER. It affects a certain percentage. These gentlemen referred to a number of animals which were destroyed following the infection of foot-and-mouth disease. They were slaughtered before they were removed from the dairy show barn.

Mr. SPANN. How many head were destroyed?

Dr. MOHLER. I do not know; four or five, I believe.

Mr. SPANN. Five; yes. In your experience as a veterinarian, if about 300 head of milch cows full of milk had had a very severe case of cowpox, would not you have had a good many cases of garget and would it not have been necessary to remove them?

Dr. MOHLER. Yes; very likely.

Mr. SPANN. And to have killed those cows?

Dr. MOHLER. Yes, sir.

Mr. SPANN. You say you do not know whether these cattle are cured or not?

Dr. MOHLER. No, sir.

Mr. SPANN. You do not know the condition of the cattle at all?

Dr. MOHLER. No, sir.

Mr. SPANN. Has not the department one or two veterinarians there?

Dr. MOHLER. Yes, sir; one.

Mr. SPANN. And do you not get any reports from him?

Dr. MOHLER. We get reports from him; yes.

Mr. SPANN. You were down in Chicago, were you not?

Dr. MOHLER. Yes, sir.

Mr. SPANN. And you did not go to see these cattle?

Dr. MOHLER. No, sir.

Mr. SPANN. No one objected to your seeing them?

Dr. MOHLER. No, sir. I got there one day and left the next, and all the time I was in Chicago I was exceedingly busy.

Mr. SPANN. This is an exceedingly important experiment, and you were down there——

Dr. MOHLER. There is nothing I could do if I saw them.

Mr. SPANN. Has not the report been made that these cattle have recovered so far as it can be shown they have this disease?

Dr. MOHLER. Yes, sir; so far as outward appearances are concerned.

Mr. SPANN. And are in the most perfect condition cattle could be in?

Dr. MOHLER. No; I would not say that. There are several lame bulls there, and there are two or three animals that have died in the last four or five weeks.

Mr. SPANN. You get reports of what they are doing there, and from what they died. They did not die from the foot-and-mouth disease, did they?

Dr. MOHLER. Not that I know of.

Mr. SPANN. And of that 750 head which have been kept in the stable now for four or five months, you would naturally expect to lose a few animals, would you not?

Dr. MOHLER. Yes, sir.

Mr. HAWLEY. What is the matter with that lame bull?

Mr. SPANN. He has dropsy in one leg, I believe.

Mr. HAWLEY. It is not the foot-and-mouth disease?

Mr. SPANN. No, sir; the veterinarian says it is not.

Mr. ANDERSON. Dr. Mohler, if I understand your position, the proposition is this: While these cattle may be cured of the disease, so far as appearances are concerned, there is absolutely no proof that they might not communicate the disease to other cattle if they were scattered over the country now?

Dr. MOHLER. Yes, sir.

Mr. SPANN. Is it not a fact that about 43 head of Guernsey cattle came to this country 18 years ago and were inspected on shipboard, and brought to Baltimore, and taken out to quarantine between Baltimore and Philadelphia, and those cattle were sold afterwards at public sale and scattered all over this country?

Dr. MOHLER. I saw that reported in the Breeders' Gazette, and I have had half a dozen letters from individuals about it. The shipment you refer to, according to the article in the Breeders' Gazette, occurred in 1883. That was the year before the Bureau of Animal Industry was established. At that time the importation of live stock was under the Treasury Department. I have gone through the Treasury Department reports, beginning with 1880 and continuing right up

to the time the importation of live stock passed into our hands, and there is no such record of any such importation. Furthermore, those cattle went to Pennsylvania, according to the statement in the Breeders' Gazette. The State veterinarian of Pennsylvania at that time was Dr. Bridge. Dr. Bridge was a member of the Pennsylvania State Board of Agriculture, and that board furnishes reports to citizens of Pennsylvania yearly. There is no statement of that kind about that herd in the year 1882 or 1883 or 1884, in the reports of the State Veterinarian of Pennsylvania, or in the reports of the Pennsylvania State Board of Agriculture. That is all I can tell you.

Mr. SPANN. Did you write to Dr. Bridge?

Dr. MOHLER. He is dead. He died about October, 1914.

Mr. FRENCH. Mr. Chairman, I think I can clear up this situation, if I may do so.

The CHAIRMAN. We would be glad to have you do so, Col. French.

Mr. FRENCH. It is true the cows were taken over into Pennsylvania but it is also true that they did not tell anybody that they had the foot-and-mouth disease. They all recovered and were shipped all over the country, and we have the facts from the man who took care of the cattle, and those facts can be produced for this committee if they desire them.

The CHAIRMAN. I do not think that is very material to this inquiry. Let me ask one further question of Dr. Mohler. How many outbreaks of the foot-and-mouth disease have we had in this country?

Dr. MOHLER. There was one in 1870, 1880, 1884, 1902, 1908, and then the present outbreak—six altogether.

The CHAIRMAN. What has been the policy of the Government in all of these outbreaks in reference to the payment for the destruction of the animals?

Dr. MOHLER. The Government only took charge of the last three outbreaks.

The CHAIRMAN. What was the policy of the Government in those three outbreaks?

Dr. MOHLER. The policy of the Government has been to cooperate with the States in quarantining the section of the State infected, to appraise the animals at their utility value, to have them slaughtered and buried under State law or State regulation, to disinfect the premises and hold the premises vacant for a period of time so that the time element would have something to do with the total elimination of the virus around the vicinity.

The CHAIRMAN. What has been your policy in reference to payments for destroying animals?

Dr. MOHLER. The policy of the Government was this: In the outbreak of 1902 we paid about 70 per cent of the appraised value, and the States paid the balance. In the outbreak of 1908 we paid 66⅔ per cent, and the States paid the remaining one-third. In this present outbreak, the amount of the payment by the Government has been on the 50 per cent basis.

The CHAIRMAN. Is there anything in the Federal law compelling the department to make any payment for these slaughtered cattle?

Dr. MOHLER. No, sir.

The CHAIRMAN. Is it a voluntary act on the part of the Department of Agriculture?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Sanctioned by Congress?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Have you ever had a situation just such as you have in reference to this herd, where you quarantined them and held them for observation?

Dr. MOHLER. No, sir.

The CHAIRMAN. There is, therefore, no precedent on record which would either justify or not justify the payment of the expenses for this quarantine, is there?

Dr. MOHLER. Not to my knowledge.

The CHAIRMAN. Would you desire to express an opinion as to what the policy will be in reference to that—and if you do not care to do so, you need not do it, of course.

Dr. MOHLER. I would prefer not to express my opinion on that.

Mr. HELGESEN. What do you mean, Dr. Mohler, by "utility value"?

Dr. MOHLER. For instance, these steers that were referred to in the testimony this morning were purchased at Chicago at 7 cents a pound. We just took the bill that that man had taken from the commission house in Chicago and appraised them at that value.

Mr. HELGESEN. That would be on the basis of the beef value?

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. In the case of dairy herds, you would take a different basis?

Dr. MOHLER. Yes, sir. We have paid as high as $200 for fine dairy animals. We have paid $125 for grade animals.

Mr. HAUGEN. What was the highest price paid?

Dr. MOHLER. I could not tell you.

Mr. HAUGEN. Can you give an estimate?

Dr. MOHLER. I think the highest prices paid, that I recall now, were for some shorthorn cattle killed up in Montana. They were animals taken out of Wisconsin and we paid about $267 for some of the cows.

Mr. HAUGEN. The department paid that?

Dr. MOHLER. We paid half of it.

Mr. HELGESEN. You paid on that basis?

Dr. MOHLER. Yes, sir.

Mr. HAUGEN. Was that the dairy value, or the meat value, or what value was it?

Dr. MOHLER. That was the dairy value. They were dual-purpose cows.

Mr. HAUGEN. You considered them worth that money for dairy purposes?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. In that connection, you make your payments upon the beef and dairy value of the cattle?

Dr. MOHLER. Yes, sir.

The CHAIRMAN. Have you ever made payments upon the breeding value of the animal?

Dr. MOHLER. I believe there have been one or two instances of that kind, where it was desired to have the animals destroyed promptly and where there was objection made by owners to the destruction of the animals unless they got a higher value.

The CHAIRMAN. Has that been the policy of the department

Dr. MOHLER. No, sir; that has not been the policy of the department. There were several exceptions, however. It was thought desirable to put the animals under the ground for the object lesson it would be to the other farmers in that vicinity.

The CHAIRMAN. What is your policy in reference to the animals that have been infected with this dourine? What is the basis of your payment in that respect?

Dr. MOHLER. I believe the maximum we pay is $100 per animal. We pay on the basis of 50 per cent of the appraised value, and we limit it to $100 for our share.

The CHAIRMAN. Did you take into consideration, in reference to that disease, the breeding value of the animal?

Dr. MOHLER. No, sir; because when an animal gets infected with dourine, it is like the foot-and-mouth disease—the breeding value is reduced, and particularly so with dourine, which is a very chronic, long-drawn-out disease, that is capable of being transmitted two or three years after the animal first becomes infected.

The CHAIRMAN. Do you find it necessary to destroy any other animals suffering with any other disease than dourine or the foot-and-mouth disease, like tuberculosis, or cholera?

Dr. MOHLER. No, sir; we have not.

Mr. HELGESEN. There has been very few cases of dourine in thoroughbred animals, has there not?

Dr. MOHLER. There have been some very valuable stallions out in North Dakota, worth several thousand dollars, that have had that disease.

Mr. HAUGEN. Did not the department destroy a number of cattle here in the District of Columbia, and was there not an appropriation made for it some years ago?

Dr. MOHLER. For tuberculosis?

Mr. HAUGEN. Yes.

Dr. MOHLER. Yes; just for the District of Columbia.

Mr. HAUGEN. I understood you to say there had not been any such cases.

Dr. MOHLER. Yes; I forgot that for the moment. They cleaned up the District of Columbia of tuberculosis some four or more years ago.

Mr. HAUGEN. You said there were one or two instances where you paid the full bill. How many cattle were in the herd, or what was the expense?

Dr. MOHLER. Where was that?

Mr. HAUGEN. You referred to one or two instances where the department had paid the real value of the stock.

Dr. MOHLER. One was the Barton herd out in Illinois, of brown Swiss cattle.

Mr. HAUGEN. How many head were there?

Dr. MOHLER. I can not recall the number.

Mr. HAUGEN. A considerable number?

Dr. MOHLER. About 40, I believe.

Mr. HAUGEN. About how much a head?

Dr. MOHLER. I really have not that information in my mind.

Mr. HAUGEN. And the number of the other herd?

Dr. MOHLER. There were 13 carloads of mixed cattle.

Mr. HAUGEN. Of full bloods?

Dr. MOHLER. Oh, no. What percentage were full blood and what percentage were not I could not tell you. The former were bought in Wisconsin, and only two cars, I think, contained pure breds. The balance were feeders from Chicago.

Mr. HAUGEN. I think you referred to two outside of Kentucky.

Mr. LEE. What did you do with this herd out at Benning?

Dr. MOHLER. Just recently?

Mr. LEE. Yes.

Dr. MOHLER. They are going to be killed this afternoon at 3 o'clock. They are digging the trenches this morning.

Mr. MCLAUGHLIN. Something has been said, Dr. Mohler, about a request of the owners of the stock in this show building at Chicago about separating the animals as they were infected or taken down with the disease, so it might not spread, and that the Federal authorities refused to do that, and kept the stock in such a way that the infection spread all through the show barn. What do you say about that?

Dr. MOHLER. The first animal which came down with the disease and the next 10 or 11 or 12 or 13 were immediately taken out and put in the hospital in an outside stable. Is not that so, Mr. Spann?

Mr. SPANN. I was not there. I think Mr. McLaughlin has probably confused that statement with the statement that I made that there was no quarantine in the barn separating the infected cattle from the the other cattle. The men in charge of the cattle which had not been infected were allowed to go down to where the cattle were infected. A man would say, for instance, "We have one down in our place," and the men in the other places would run down to see it. In that way it infected the whole barn.

Mr. MCLAUGHLIN. The statement was made, as I remember it, that request had been made to separate and quarantine them within the barn, so that those not infected might be saved, and that the request was absolutely refused by the Federal authorities.

Mr. SPANN. There was a request made. There was a request made of the authorities there, Dr. Bennett and Mr. Dyson, to allow us to take these cattle that had not been infected away from the barn. We could not take the infected ones out. They had no place for them.

Mr. MCLAUGHLIN. What do you know about that, whether or not the cattle infected were separated or anything done to protect those not infected at the time from coming down with the disease?

Dr. MOHLER. I know that the first 20 or 30 or 40 cattle were taken down as soon as they showed symptoms of the disease and put in this hospital that Mr. Spann mentioned and that I mentioned a while ago, and entirely isolated from the remainder of the dairy herd.

Mr. MCLAUGHLIN. Do you know of any precaution that might have been taken to save those animals there from being infected by those that had already shown the symptoms—any precautions that might have been taken that were not taken?

Dr. MOHLER. As I said before, we sent them telegrams to have these animals treated like the children in a scarlet-fever hospital, and of course it was necessary to deal with the attendants. These people were all up against that proposition of having attendants to take care of their animals, and from what I understand there was no control at all over the men.

Mr. McLAUGHLIN. If there was any failure then to observe your rules as to segregating them in any respect in the quarantine, it was by the employees and attendants of the owners of the cattle?

Dr. MOHLER. Probably the employees used the same buckets and the same currycombs and things of that character.

Mr. SPANN. To your knowledge, were they instructed not to do those things?

Dr. MOHLER. I do not know what instructions they received.

Mr. SPANN. Was it not a fact that they did have these sheets, soaked with disinfectants, around the cattle sheds?

Dr. MOHLER. They did; yes. But there is no use of putting sheets around if you have men going from one herd to another, giving different herds water from the same buckets, and using the same currycombs, and halters, and things of that kind.

Mr. COOPER. Mr. Chairman, may I ask a question or two right here?

The CHAIRMAN. Certainly, Mr. Cooper.

Mr. COOPER. I introduced the bill because I received a great many letters from farmers in three different counties in my district. They have associations there and, as you know, they have some very fine-bred cattle there as exhibitors. They sent resolutions to me and so I fixed this bill myself and notified them I had done so, and they brought it up in Chicago.

You said, Dr. Mohler, that on October 15 you wired to Washington, to the Secretary of Agriculture, or to the Department of Agriculture, that there was foot-and-mouth disease in Niles, Mich.?

Dr. MOHLER. Yes, sir.

Mr. COOPER. And you also said that on the 16th, the next day, you notified Dr. Bennett, your inspector in Chicago?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Of what did you notify him? You notified him there was foot-and-mouth disease symptoms, did you not?

Dr. MOHLER. I do not know about the 16th of October.

Mr. COOPER. That was your testimony, I believe.

Mr. ANDERSON. No; the 26th of October.

Dr. MOHLER. No; that was another telegram.

Mr. COOPER. You notified him on October 16. Of what did you notify him on that date? If you discovered foot-and-mouth disease on the 15th of October at Niles, you notified the department and——

Dr. MOHLER (interrupting). This is the way I think I notified him: This telegram of mine was October 15, and it was addressed to the Washington office here, and I stated that it was indisputably the European disease; that the local supply of rubber goods was not satisfactory and asked if they would wire Bennett to send us rubber coats and rubber boots, and things of that character. He was notified on October 16 indirectly in that way. He sent materials and kept us supplied with material from Chicago on account of there being a better center, of course, for this kind of things than we had at Niles.

Mr. COOPER. Dr. Bennett furnished those to you?

Dr. MOHLER. Some of those things; yes.

Mr. COOPER. That was for the purpose of combating the foot-and-mouth disease at Niles?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Did he send them in answer to your information or request sent him on the 16th of October?

Dr. MOHLER. Yes, sir; that was the date the Washington office notified him.

Mr. COOPER. When did you get that at Niles?

Dr. MOHLER. The goods?

Mr. COOPER. Yes.

Dr. MOHLER. It was some time later.

Mr. COOPER. About what time?

Dr. MOHLER. We had to buy a lot of material from the local dealers and we had material sent there from Washington.

Mr. COOPER. You say you saw on the 15th that indisputably it was the European disease?

Dr. MOHLER. Yes.

Mr. COOPER. Exceedingly contagious, you said?

Dr. MOHLER. Yes, sir.

Mr. COOPER. And virulent?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Did you not think then there ought to be some notice sent to the management of that great dairy show about that condition?

Dr. MOHLER. It was not in my mind at all about the dairy show. I was not thinking about the dairy show particularly at that time.

Mr. COOPER. But it is a fact that both you and the department in Washington knew on October 15 that the foot-and-mouth disease was at Niles, Mich., within 82 miles of Chicago?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Of an extremely contagious kind, as you recognized it to be indisputably the European disease?

Dr. MOHLER. Yes, sir.

Mr. COOPER. I know what magnificent service the department renders and what service your bureau renders. I have no attack to make, or anything of that kind, upon you personally. But do you think there was the precaution taken that proper care demanded to prevent the spread of that virulent contagion that you knew of on October 15 or 16?

Dr. MOHLER. Yes, sir; I do.

Mr. COOPER. There was nothing to prevent men from coming through Niles, Mich., and going to Chicago, or going anywhere, was there?

Dr. MOHLER. No; and we have no control over them even now.

Mr. COOPER. But in view of the fact that people can do that and carry it, was notice published of the virulent character of the disease, and that it would be dangerous for cattle owners to assemble at that dairy show at Chicago? Was anything of that kind published?

Dr. MOHLER. Not that I know of. We gave the press the information at once. Here [indicating] are some newspaper notices of the 17th of October. We brought in the only two newspaper men that lived in the city of Niles, Mich., and gave them publication after publication. They used them, and one of the editors said he would send it out to the Associated Press. I do not know what he did. I was not looking after the newspaper end of it.

Mr. COOPER. Is not publicity of primary importance in the case of a great contagion?

Dr. MOHLER. That is the reason we gave it out in that way, and here [indicating] are some of the newspaper notices we gave out.

Mr. COOPER. What paper is that?

Dr. MOHLER. The Niles Star and the Sun.

Mr. COOPER. Those are two papers of which I have never heard, and I do not think they are of general circulation throughout the country.

The CHAIRMAN. In justice to Dr. Mohler——

Mr. COOPER (interposing). I do not wish to be understood as making any criticism of Dr. Mohler personally.

The CHAIRMAN. You are required to publish, in such newspapers, such notices, in the quarantined States or Territories or District of Columbia?

Dr. MOHLER. Yes, sir; and that was done. We can not go and notify individuals or different show people all over the country. Personally I have not given any thought to the dairy show until after I got in Chicago the following week, and then I thought of the danger, when I reached Chicago, of people coming from these infected States and going into the dairy show barns and bringing the infection there with them.

Mr. COOPER. Was not that the season of county fairs?

Dr. MOHLER. Yes, sir.

Mr. COOPER. And that is the season of stock shows all through Minnesota, Wisconsin, and Iowa?

Dr. MOHLER. Yes, sir. Just to show you how peculiarly this disease acts, there in Niles, Mich., in Berrien County, we quarantined not only Berrien County, but Cass County as well. Cass County never became infected, but there were 191 herds slaughtered in that one county of Berrien.

Mr. HELGESEN. How close to each other are those two counties?

Dr. MOHLER. They are adjacent.

Mr. COOPER. You quarantined them on the 19th of October?

Dr. MOHLER. Yes, sir.

Mr. COOPER. You said in your original testimony, and of course it is true, that they discovered in Berrien County 39 herds?

Dr. MOHLER. Yes, sir; on October 16.

Mr. COOPER. In Berrien County they had the foot-and-mouth disease as early as October 19?

Dr. MOHLER. Yes, sir.

Mr. COOPER. And yet the department did not notify and you do not know of a notification having been sent to the management of this great dairy show?

Dr. MOHLER. Yes, sir; it did. That is what I was telling you this morning.

Mr. COOPER. Who received that notification?

Dr. MOHLER. That is what I was trying to ascertain from Dr. Melvin, and he is too ill to communicate with. I do not know whether he told Mr. Skinner, or who he told, but that is the information I submitted this morning.

Mr. COOPER. Are you aware of the fact that after you discovered that disease among the 39 herds of Berrien County, Mich., and quarantined them on the 19th—and, of course, after you had discovered the first instances of the disease at Niles—stock came from the State of Michigan to this dairy show?

Mr. MOELLER. [illegible]

Mr. HAWLEY. [illegible]

Mr. MOELLER. [illegible]

The CHAIRMAN. [illegible]

Mr. MOELLER. [illegible]

Mr. COOPER. [illegible]

[illegible] and then [illegible] interstate [illegible]

[illegible] this morning [illegible] who were [illegible]

[illegible] Mr. SKELLY, and his [illegible]

[illegible] never advised against admitting [illegible]

[illegible]

The CHAIRMAN. Whose is [illegible]

Mr. McLAUGHLIN. That is [illegible]

[illegible] on the Michigan [illegible]

The CHAIRMAN. How [illegible]

Mr. McLAUGHLIN. One [illegible]

Mr. FRENCH. Let me [illegible]

fairness of our association. [illegible]

And those cattle were among the [illegible]

I merely read you this [illegible]

and I not trying to make [illegible]

The CHAIRMAN. The [illegible]

Mr. COOPER. Mr. McLaughlin [illegible]

Detroit they would [illegible]

Michigan would they [illegible]

quarantined.

Mr. McLAUGHLIN. [illegible]

[illegible] on making [illegible]

but it is between [illegible]

Railroad. The Michigan [illegible]

tion of Detroit.

Mr. HAWLEY. Through [illegible]

Mr. McLAUGHLIN. [illegible]

spoken of is over [illegible]

Michigan.

The CHAIRMAN. [illegible]

Member, did you have [illegible]

county in which Grass Lake [illegible]

Dr. MOELLER. None, sir. [illegible]

The CHAIRMAN. For the reason that no outbreak of this disease was prevalent at that time in that section?

Dr. MOHLER. Yes, sir; we did not quarantine the entire State of Michigan until these shipments from Chicago were sent throughout the State.

The CHAIRMAN. When did you quarantine the entire State of Michigan?

Dr. MOHLER. November 2.

The CHAIRMAN. After this show had closed?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. Dr. Mohler, there has been some talk about the employees in the show barns traveling around from one cow to the other. I want to ask you by whom those men were employed?

Dr. MOHLER. By the exhibitors.

Mr. ANDERSON. They were not employees of the Government?

Dr. MOHLER. No, sir. The Government employees went in there with rubber coats, rubber hats, rubber gloves, and rubber boots.

Mr. MCLAUGHLIN. That is, your men did that?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. The Government had no control over the employees of the exhibitors?

Dr. MOHLER. Absolutely no control whatsoever.

Mr. HAWLEY. I would like to ask a question or two, Mr. Chairman, if I may.

The CHAIRMAN. Certainly, Mr. Hawley.

Mr. HAWLEY. There was some testimony yesterday to this effect, that after a certain length of time the cattle were taken from the possession of the owners by some other authority and held by that other authority and the owners deprived of the possession of the cattle. Was that authority that took possession of the cattle and ousted the owners of their possession, the authority of the State of Illinois or the authority of the Federal Government?

Dr. MOHLER. I can positively state that it was not the authority of the Department of Agriculture or the United States Government. Whether it was the authority of the State, I am not prepared to say, but it was not the Government.

Mr. ANDERSON. Could the State government or the Federal Government have exercised the control over these cattle which would have excluded the employees of the exhibitors?

Dr. MOHLER. If the Government took charge of a herd of that kind—for instance, under our usual policy of slaughter—we could prevent an employee coming in there under conditions that would make himself dangerous to the neighboring stock on the adjacent premises.

Mr. ANDERSON. In that case, they would be your cattle?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. And you could do what you pleased with them?

Dr. MOHLER. Yes, sir.

Mr. ANDERSON. In this case they were not your cattle and you did not propose and do not propose to pay for them?

Dr. MOHLER. That is right.

Mr. ANDERSON. So you had no control over the conduct of the barn?

Dr. MOHLER. No; we had not.

Mr. ANDERSON. Or the cattle?

Dr. MOHLER. No, sir; neither one.

Mr. HAWLEY. Mr. Chairman, all the witnesses who were on the stand yesterday, I think, are here now. They heard the question which I just asked Dr. Mohler. I would like to know if there is any disagreement with the statement which he just made?

Mr. COOPER. What was your question, Mr. Hawley?

The CHAIRMAN. I will ask the reporter to read it.

The REPORTER (reading):

Mr. HAWLEY. There was some testimony yesterday to this effect, that after a certain length of time the cattle were taken from the possession of the owners by some other authority and held by that other authority and the owners deprived of the possession of the cattle. Was that authority that took possession of the cattle and ousted the owners of their possession the authority of the State of Illinois or the authority of the Federal Government?

The CHAIRMAN. What was Dr. Mohler's response?

The REPORTER (reading):

Dr. MOHLER. I can positively state that it was not the authority of the Department of Agriculture or the United States Government. Whether it was the authority of the State I am not prepared to say, but it was not the Government.

Mr. HAWLEY. I would like to have the witnesses who testified yesterday on that point make any statement they want to make on this feature, because it seems to me to be a material point.

Mr. SPANN. I will make this statement, Mr. Chairman, that when the foot-and-mouth disease broke out in the barns where the cattle were, an immediate quarantine was put on and the doors locked, and these exhibitors and men outside were not allowed to go in. That lasted several days until finally we got permission from the department to save the cattle and not destroy them. Whether it was the department orders to kill these cattle or not, the word that came to us was that every one of them was to be killed—not the two or three you said you wanted killed, Dr. Mohler, but they were all to be killed.

Mr. HAWLEY. Who put these locks on the barn?

Mr. SPANN. I do not know.

Mr. HAWLEY. The State authority?

Mr. SPANN. I do not know.

Mr. LESHER. Who gave you these orders?

Mr. SPANN. I do not know. They had guards there. We find the State and Government work together. They did in that instance. They locked these barns and said we could not go in.

Mr. HAWLEY. Who said they were going to kill all these cattle—the State authorities or the Federal authorities?

Mr. SPANN. I do not know. I will ask Mr. French if he can tell you.

Mr. FRENCH. Mr. Chairman, for three or four days the State of Illinois and the representative of the United States Government were busy "passing the buck" as to who had authority, and there was no quarantine by either one of them, and if we had been law-breaking citizens we could have taken our cattle out and gone home with them. The exhibitors then put in a quarantine that was effective, not wishing to scatter this disease, and at all times I have been informed that the Department of Agriculture have had a representative in our quarantine establishment. At all times we have asked for and carried out instructions from that man, whoever he might be. We were

so busy trying to save our cattle that we did not raise the question of jurisdiction.

Mr. HAWLEY. Who put the padlocks on the door?

Mr. FRENCH. I am not sure whether the State of Illinois did it or whether the Federal Government did it.

Mr. HELGESEN. Dr. Mohler, do you know on what date the State of Illinois put a quarantine on there?

Dr. MOHLER. No; I am not familiar with the quarantine orders of the State. I think it was about the same time we did.

Mr. MCLAUGHLIN. Col. French, you spoke of the failure of the Federal Government to properly quarantine these animals and that your association did establish a quarantine. Was that while they were in the show barn or after they were removed to the race track?

Mr. FRENCH. While they were in the show barn.

Mr. HAWLEY. Do you remember about what date you put your quarantine on?

Mr. FRENCH. About the 1st of November—possibly the 31st day of October, or possibly the 2d of November.

Mr. COOPER. I would like to ask a question, if I may, Mr. Chairman.

Mr. SPANN. Just a moment, Mr. Cooper, please. There seems to be some misunderstanding. When the disease broke out, they went to work and locked these barns up and things inside the barns were in a chaotic state.

Mr. HAWLEY. It is a very important question as to who put the padlocks on there and who put the cards there. I for one am simply asking for information.

Mr. SPANN. We can not tell. The authorities are so intermixed that we can not tell. The State and Federal authorities were working together. What was given out—I can not say that Dr. Bennett gave it out or that Mr. Dyson gave it out, but information was given out, and what we had was that the cattle were going to be killed and there was not any use to do anything about it, and they did not take the manure out of those barns for four or five days. It was the most horrible condition you could imagine. It indicated they had thrown up their hands and the cattle had to be killed, and that is when we took hold and tried to bring things out. They just locked them up, and the men were in there. Sometimes they would get something to eat and sometimes they would not, and they were nearly suffocated by the manure and stuff piled up in the barns. They did not clean the barns for four or five days. They indicated that things were all gone and there was no use doing anything. I am not making any charges, you understand.

Mr. HELGESEN. Did you ask the authorities to give you the necessary rules to be observed in taking care of that stock?

Mr. SPANN. I was not in charge of it.

Mr. FRENCH. We did; yes.

Mr. HELGESEN. You followed the instructions?

Mr. FRENCH. We have at all times; yes, sir.

Mr. Chairman, if I may offer a few remarks here relative to the testimony of Dr. Mohler that the exhibitors were——

The CHAIRMAN (interposing). Let Dr. Mohler conclude his statement first, and then we will hear from you, Col. French.

Mr. MOSS. I would like to ask a question or two, Mr. Chairman.

The CHAIRMAN. Proceed, Mr. Moss.

Mr. Moss. I think that the whole ground I want to go over has been pretty well covered, but I want to ask a question or two to clear it up in my own mind.

What is the policy of the Federal Government where they throw a quarantine around a yard or order cars disinfected, with reference to the disposition of the refuse that is taken out?

Dr. MOHLER. The quarantine applies to the hay, to the straw, and to the manure as well as to the live stock, and there is no way of getting that manure out except after disinfection. When the question has been put up to Washington about moving manure, we have in the great majority of cases even suggested that they would not move it for a certain period of time. For instance, a report was sent in about two weeks ago from Buffalo.

They had an enormous quantity of manure which they wanted to move, and offered to sprinkle cresol, a very good disinfectant, over every 2 inches of manure, but the order went back saying we would advise them to compost that manure for three or four months before allowing it to go out; and the same information was requested with reference to the yards at Albany, N. Y.

Mr. HAWLEY. You are sure this disinfectant you put on the manure killed the germ or whatever you call it?

Dr. MOHLER. Yes, sir.

Mr. HAWLEY. You are absolutely sure of that?

Dr. MOHLER. Yes, sir.

Mr. HAWLEY. Did you ever try the using of manure to see if it would infect any animal?

Dr. MOHLER. No, but we have stocked a barn after this disinfectant has been used, with animals susceptible to the disease and no symptoms of disease appeared in the animals that were used for restocking purposes.

Mr. Moss. Has the Department of Agriculture, in any case within your knowledge, consented to the sale or distribution of manure that has come out of infected areas without proper and due disinfection?

Dr. MOHLER. No, sir; that is one of the requirements that we try to see is very strongly and rigidly inforced, because of the danger.

Mr. Moss. That is all I desire to ask, Mr. Chairman.

Mr. SPANN. Mr. Chairman, I want to make my testimony plain, then, by asking a question or two.

Do you know the condition of the stockyards at Louisville, and whether they have carried out your instruction there?

Dr. MOHLER. I do not know what was done there. I know the order applies to the Bourbon stockyards as well as any other.

Mr. SPANN. You say your manure at the Buffalo is kept there some time, and you are still instructing them to hold it?

Dr. MOHLER. Yes, sir.

Mr. SPANN. I state to you, Dr. Mohler, that within five days, or not to exceed six days, when the manure was cleaned up out of the Bourbon Stock Yards after their first outbreak, that manure was piled outside, an enormous pile of it, probably 50 feet high and 100 feet long or more, and that the German farmers having farmed all around there, went there and hauled that manure out; and I saw the manure and I saw them hauling it out and I saw it on their farms.

Dr. MOHLER. Was that after the Louisville stock yards were cleaned the first time?

Mr. SPANN. Yes, sir; within five or six days.

Dr. MOHLER. At that time the Louisville stock yards were in clean territory.

Mr. SPANN. They were infected. You had an outbreak there and cleaned it up for that purpose.

Dr. MOHLER. But I am saying after that.

Mr. SPANN. I was there at that time, and I saw them.

Dr. MOHLER. You know for a long period the Bourbon Stock Yards, after they got infected first and were cleaned and disinfected thoroughly, were clean yards and remained so until just recently. During that period the manure there was just as good as any other manure.

Mr. SPANN. It was hauled from those points where they cleaned the stock yards up just after the infection.

Dr. MOHLER. Prior to the 15th of November.

Mr. SPANN. It was just after the infection, I think, which they had out there. They were ordered to clean up and close the yards, and this manure was piled up and the farmers hauled it off, and they have a new infection in Jefferson County.

Dr. MOHLER. Do you mean this last infection in Jefferson County? I think you are getting things mixed up.

Mr. SPANN. I am not at all. During the first infection——

Dr. MOHLER (interrupting). In November?

Mr. SPANN. Yes; they were ordered to clean it up.

Dr. MOHLER. Yes, sir.

Mr. SPANN. And they piled it up there and a lot of German farmers came and hauled it away.

Dr. MOHLER. You do not mean to say this outbreak in February is due to the manure in November?

Mr. SPANN. I could not swear to it, but I am very well satisfied a good deal of it is.

Dr. MOHLER. I will tell you where the Louisville and Jefferson County infection got started, after the Bourbon yards got reinfected from the Chicago yards in February. Several small slaughterers in Louisville took stock out of the yards ostensibly for immediate slaughter, but instead they turned them into their dairies, which they were running in connection with their slaughtering business. There has been a big distillery herd infected, and also a number of herds belonging to these little fellows, who got the disease as a result of breaking the quarantine regulations by taking stock from the Bourbon Stock Yards for purposes other than slaughter, after the yards were reinfected from Chicago.

Mr. SPANN. I simply state the fact that this manure was taken out of these yards when they were ordered cleaned up by your inspectors there, and hauled out on the farms. That is as far as my statement goes.

Dr. MOHLER. Do you know that it was not disinfected?

Mr. SPANN. Possibly it was disinfected, but they took it out in the yards and piled it up there. You do not think it would be safe to take that out, do you?

Dr. MOHLER. That is the only way we have of disinfecting the manure.

Mr. SPANN. You did not allow these men in Buffalo to take it out, did you?

Dr. MOHLER. No.

Mr. SPANN. That is the point I make, that these people in Louisville did, and those people up there in Buffalo did not.

Mr. MCLAUGHLIN. There was an outbreak about the middle of November, you say?

Mr. SPANN. Yes.

Mr. MCLAUGHLIN. And it was about that time this manure was taken out?

Mr. SPANN. Yes.

Mr. MCLAUGHLIN. Dr. Mohler says the next outbreak was in February and was not traceable to that spreading of the manure, and they can trace it definitely back to shipments in Chicago. You said yesterday the spreading of that manure started the disease all over Jefferson County.

Mr. SPANN. No; you can not find that in my evidence. I stated that was spread all over Jefferson County and now they have a new infection. I did not say it was traceable to that, although I believe it is.

Mr. COOPER. He said they spread manure all over the county, and now they have a new infection.

Mr. FRENCH. Dr. Mohler has made a statement, Mr. Chairman, that the owners agreed to move all the cattle from the stockyards to a stable which I had, and that we would bear the expenses. I offered to give them the use of my stables for a year, if they needed them, from a desire simply to help this experiment. That much is true. The question was brought up if we would pay the freight over to that place. We said we would pay the freight the same as we had paid for the feed, but we never had any idea in our minds but what we would be reimbursed for it. I merely mentioned that to clear up Dr. Mohler's statement that we had agreed to pay all the expenses of this experiment.

Mr. HAWLEY. I would like to ask you on that point mentioned a moment ago. You can see the point, that if the Illinois State government or some other authority of the State of Illinois was the party who took your cattle and restrained you from the use of them, that government is the party who is responsible for your loss. If the Federal Government is the party who took your cattle or directed the taking of them, then if you have any claim for loss it would be properly as here. I have been asking for information on that point, and if you have not any now and could get it, I think it would be very useful for the committee to have it.

Mr. FRENCH. We will try to get the positive information. The only quarantine we know of now was the quarantine established by the United States Government, effective October 31. We have never heard of a quarantine being established by the State of Illinois.

Mr. COOPER. I will ask a question, Mr. Chairman, which I have in mind in connection with the question which was read by the reporter a few moments ago.

You established a quarantine, Dr. Mohler, and that was a national quarantine?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Can a national quarantine be enforced to prevent interstate shipments without Federal officials being in charge to prevent interstate shipments? What is the use of your quarantine if you are not in charge to prevent its violation?

Dr. MOHLER. That is true.

Mr. COOPER. Of course it is true.

Dr. MOHLER. But we are not taking charge of individual animals or herds, because we are enforcing interstate regulations.

Mr. COOPER. You established a quarantine on that herd?

Dr. MOHLER. Not particularly on that herd.

Mr. COOPER. No; but on the Union Stock Yards.

Dr. MOHLER. Yes, sir.

Mr. COOPER. Including the herd?

Dr. MOHLER. Yes, sir.

Mr. COOPER. How would that be enforced without Federal supervision?

Dr. MOHLER. It was enforced by Federal supervision of the entire yards.

Mr. COOPER. Including this stock?

Dr. MOHLER. Yes, sir.

Mr. COOPER. Is it your answer, and did you mean to have it understood, that Mr. Hawley was confining his question to the mere matter of supervision of that herd without any regard to the entire quarantine?

Dr. MOHLER. Surely, I assumed he was referring to the individual herd.

Mr. COOPER. But the Federal official or officials, inspectors, etc., in charge of a national quarantine in the State of Illinois, would be in charge of every unit in the stock yards, including that herd.

Mr. LESHER. Is it not up to the State to enforce this law?

Mr. COOPER. Not on an interstate-commerce matter. The State can permit them to be shipped out in violation of the interstate-commerce regulations, but the only way the interstate-commerce regulation can be enforced is by Federal supervision, and a Federal quarantine is of no avail whatever without the Federal authorities to enforce it.

Mr. LESHER. How would you suggest they enforce this law?

Mr. COOPER. Just as they did, by preventing interstate shipments from the yards.

Mr. LESHER. How would you prevent those?

Mr. COOPER. By not allowing them to go out of the yard. They had an official there all the time.

Mr. LESHER. Would you place guards on them?

Mr. COOPER. Certainly. They have officials there and inspectors there to prevent violation of the quarantine.

Mr. LESHER. Would you place guards on these animals?

Mr. COOPER. Undoubtedly, and over the yards. That is what they had there.

Mr. MOSS. Dr. Mohler, when you established the quarantine on the 31st day of October, did you take any more particular charge of this particular herd or these dairy cattle than you did take charge of other cattle in the Union Stock Yards?

Dr. MOHLER. No, sir.

Mr. MOSS. So far as the control of the Government is concerned, it extended over the cattle in the stockyards and to that same degree it was extended over this particular herd in question?

Dr. MOHLER. Yes, sir.

Mr. MOSS. That is the way I understood it.

Dr. MOHLER. Yes, sir.

Mr. HELGESEN. I had to go out for a little while, having another appointment, Mr. Chairman, but just before lunch a question came up as to the refusal of the Government to allow these men to take their herds out in sealed cars and ship them to their own homes. Mr. Spann said he asked permission to ship his cattle to Kentucky in sealed cars, and had permission of the Kentucky authorities to ship them there, but it was refused by Dr. Bennett.

Mr. SPANN. A telegram to the same effect was sent to Dr. Melvin.

Mr. HELGESEN. I asked at that time whether or not, if Dr. Melvin refused to grant permission out on the 29th, he had any authority to do that on the 29th or not?

Dr. MOHLER. No, sir; he had no authority to do it on the 29th.

Mr. HELGESEN. Did he exceed his authority if he did do that?

Dr. MOHLER. Yes, sir.

Mr. COOPER. You said Dr. Melvin; you mean Dr. Bennett?

Mr. HELGESEN. I mean Dr. Bennett; yes.

Dr. MOHLER. I assumed you meant Dr. Bennett.

I would like to make one statement regarding a point brought up this morning, and that was with reference to the auction of a Jersey herd at the dairy show. Mr. McFadden, a townsman of Mr. French, in Davenport, Iowa, was in my office several months ago and told me he personally cried the sale at the dairy barn, and he said the average price received for those Jersey cows was about $150 per head. That is merely to clear up the question asked by Mr. Moss this morning.

Mr. HAWLEY. Did he say those were fine cattle, or did he controvert Col. French's statement that they were culls?

Dr. MOHLER. He did not make any statement about that at all. I merely asked the question as to what breed of animals he sold and the price obtained.

Mr. MOSS. Since the price has been mentioned, I would like to ask Col. French a question. They were not sold as culls on the block? The auctioneer did not mention them as culls on the block?

Mr. FRENCH. Not if he was on the job. No. [Laughter.]

Mr. HELGESEN. Dr. Mohler, if it should develop that the State of Illinois should not declare a quarantine in the Chicago Stock Yards, then it will be quite evident, will it not, that the Federal Government will be responsible for whatever regulations there were in the stockyards at that time?

Dr. MOHLER. I am quite sure the State of Illinois declared the quarantine. I do not want to assume anything that I know to be contrary to the facts, because I am quite certain the State of Illinois did declare the quarantine.

Mr. HAWLEY. On what date?

Dr. MOHLER. I do not know; I can not recall the date.

Mr. RAMSEY. November 2, I think it was. I think it was that day they put up the notices.

Mr. HAWLEY. That was November 2, you say?

Mr. RAMSEY. It was either Monday or Tuesday. Sunday was the 1st, and either Monday or Tuesday they put up the notices in the exchange and all around the yards.

The CHAIRMAN. Dr. Mohler, what would you say would be the cost of maintaining this yard of 719 cattle, about which we have been

talking, for the length of time that it has been maintained, including the rent, labor, feed, etc., if you have an opinion on that proposition?

Dr. MOHLER. This expense of $150 per head for the length of time they have been in quarantine—what do I think about the price? Is that the question?

Mr. MCLAUGHLIN. The cost of maintaining.

The CHAIRMAN. What do you think has been the cost of maintaining?

Dr. MOHLER. I happen to know it is about $140 a head.

The CHAIRMAN. Is that $140 a month?

Dr. MOHLER. No; for the time since the animals were found to be infected up to about the present time.

The CHAIRMAN. That would be how much a month?

Dr. MOHLER. That would be about $35 a month.

The CHAIRMAN. What do you say as to that cost? Is it exorbitant or not?

Dr. MOHLER. I think it is rather heavy for that number of animals under one barn and with conditions as they were. I think it is rather a heavy expense.

The CHAIRMAN. What do you think would be a reasonable expense?

Dr. MOHLER. $20 a month is about the price I should think would be reasonable under the circumstances.

Mr. HELGESEN. They testified they paid $40 for hay.

Dr. MOHLER. I was not asked the question as to the cause.

Mr. FRENCH. Would it not cost a little more to maintain them under hospital conditions than ordinary conditions?

Dr. MOHLER. Certainly. But I think $35 a month is rather exorbitant.

Mr. FRENCH. It is exorbitant because the charges of the Union Stock Yards are exorbitant, and we paid them under protest.

Mr. MOSS. As a matter of interest to myself, I would like to know what is the policy of the Government toward this herd of cattle—that is, its future policy?

Dr. MOHLER. Mr. Moss, the policy of the department will rest entirely upon the outcome of this test with a number of feeders that are being held ready to place among the apparently recovered animals.

Mr. MOSS. Is it within the possibility of events that the Government will release these cattle?

Dr. MOHLER. That is possible; yes, sir. If these 43 feeders, or whatever the number may be, show, after a period of time, that they have not contracted any disease from the seven hundred and odd dairy show animals, there is no reason why any other animals should contract the disease from them in their home States.

Mr. HAWLEY. You are absolutely sure these 43, which are going to be put in there, have had no way of getting infected outside?

Dr. MOHLER. That is the very process of elimination they are undergoing now. They are remaining outside for a period of 12 days before they are placed among these animals, so if they do become infected we will be absolutely sure the disease occurred from within and not from without the Hawthorne track.

The CHAIRMAN. We are very much obliged, Dr. Mohler, for your attendance here.

Col. French, do you desire to make any supplemental statement?

Mr. FRENCH. I do not, Mr. Chairman, thank you.

Mr. SPANN. Mr. Chairman, I want to thank the committee, and I want to thank Dr. Mohler, and I want to say to you that I have no feeling against anybody in this investigation, and I have no criticism to make against the department. I want to thank Dr. Houston and the department as well for giving us an opportunity to save these cattle. I think the criticism of Dr. Bennett at Chicago is because we think he was unfair to us and discriminated against us. I want to thank Dr. Mohler for stating that there is a possibility that we will get our cattle. That is the most encouraging thing we have heard.

We are very grateful to you, Mr. Chairman, for this hearing.

The CHAIRMAN. The committee will go into executive session.

(Thereupon, at 4 o'clock p. m., the committee went into executive session.)

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